United Nations CEDAW/C/ITA/7

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
11 January 2016

Original: English

Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States parties under article 18 of the Convention

Seventh periodic report of States parties due in 2015

Italy*

[Date received: 27 October 2015]

Note: The present document is being circulated in English, French and Spanish only.

* The present document is being issued without formal editing.

16-00292 (E) 160216

Please recycle

Contents

	Page
Introduction	3
Information relating to each of the articles in parts I, II, III, and IV	
Part I	5
Articles 1, 2 and 3	5
Article 4	10
Article 5	12
General Recommendations 12, 19 and 31	14
Article 6	19
Part II	23
Articles 7, 8	23
Article 9	25
Part III	27
Article 10	27
Articles 11, 13	28
Article 12	38
Article 14	42
Part IV	43
Articles 15, 16	43

Introduction

1. Submitted in December 2009 (CEDAW/C/ITA/6), the sixth periodic report was considered by the CEDAW Committee, on 14 July 2011 (49th session). The Committee published Concluding Observations (CEDAW/C/ITA/CO/6), on 2 **August 2011**. In accordance with Article 18 of the CEDAW Convention, the present periodic report, updates previous reports and provides the pertinent responses[1] to the last Committee's Observations.[2] Following the request reported under paragraph 60 of the above Observations, Italy provided information (CEDAW/C/ITA/CO/6/Add.1), in **August 2013**.

2. In order to draft the **Seventh periodic Report of Italy to CEDAW**, in line with relevant Guidelines (HRI/Gen/2/Rev.6),[3] an ad hoc interministerial Working Group was established late in 2014 at the Interministerial Committee for Human Rights (hereinafter, CIDU), within the Italian Ministry of Foreign Affairs and International Cooperation. By an inclusive and participatory approach, CIDU involved relevant CSOs, and shared this Report with the Parliament.[4]

3. As for "**Visibility of the Convention and the Optional Protocol**" and "**Dissemination**",[5] CIDU published, in Italian, in August 2011, CEDAW/C/ITA/CO/6. As per its own practice, CIDU included it in its annual report to the Parliament. In early September 2011, a meeting was convened, to share the above translation with CSOs. On that occasion, agreement was reached to translate all relevant CEDAW, as made available online, in December 2011.

4. One of the main goals of the **Italian Government is to ensure equal opportunities and equal treatment for men and women and to combat all forms of discrimination on the grounds of gender**. With a view to achieving this fundamental goal, Italy has put in place measures having a constitutional, legislative, and administrative nature in the economic, social, cultural, and political life. From a **constitutional standpoint**, the general principle of equality between women and men is enshrined in **Article 3** of the Constitution, "*All citizens have equal social dignity and are equal before the law without distinction of sex, race, language, religion, political opinion, personal and social conditions. It is the duty of the Republic to remove those obstacles of an economic or social nature which constrain the freedom and equality of citizens, thereby impeding the full development of the human person and the effective participation of all workers in the political, economic and social organization of the country*".

5. Following the **Beijing Declaration and Platform for Action**[6] in 1995, Italy established a specific system for the promotion of gender equality. "**The national machinery**"[7] on gender equality is the Department for Equal Opportunities of the Italian Presidency of the Council of Ministers[8] that has supported the Office of the

[1] Where appropriate, several issues are dealt with jointly in one Article, by taking into account the respective recommendations of the Committee.
[2] CEDAW/C/ITA/CO/6, paras. 13, 62; Follow-up Letter (April 2014); HRI/Gen/2/Rev.6.
[3] The Common Core Document will be made available by December 2015.
[4] CEDAW/C/ITA/CO/6, paras. 11, 61.
[5] CEDAW/C/ITA/CO/6, paras. 10, 14, 15, 59, 62.
[6] CEDAW/C/ITA/CO/6, para. 56.
[7] CEDAW/C/ITA/CO/6, paras. 18-19.
[8] CEDAW/C/ITA/CO/6, para. 17.

Minister for Equal Opportunities since 1996. In 2012, based on the reorganization of the Ministries, the then Minister of Labour and Social Policies was also entrusted with equal opportunities tasks.

6. Today, Mr. Matteo Renzi, **President of the Council of Ministers, is the political Authority directly in charge of gender equality and equal opportunities policies**. From a political standpoint, since 28 April 2013 the Italian Government has been led by a centre-left wing coalition. Understanding the cross-cutting nature of gender equality, from the very beginning of his mandate, Mr. Renzi has been attaching particular importance to gender equality policies. He has kept the responsibilities for equal opportunities for himself, thus ensuring the integration of the gender perspective in all Government's actions. Furthermore, in September 2014, the President appointed a specific "Gender Equality Advisor to the Presidency of the Council of Ministers".

7. Over the years, the activities of the Italian Government and **the integrated institutional system** described in further details below have continued to be focused on a wider concept of equal opportunities with the main aim of removing all forms of discrimination and developing gender-sensitive policies in many different areas. In particular, special attention has been paid to: GBV; THB; CEFM; FGM; employment; equal sharing of responsibilities between women and men; education and the fight against stereotypes; health; women's participation in the political and economic decision-making; and immigration. The measures taken in all these areas have contributed to enhancing the role of women in society and improve their image and involvement in public life. Furthermore, the Italian Government has implemented specific **gender mainstreaming policies**[9] through ESF and ERDF and by a systematic collaboration with the Regions.

8. In terms of progress at the national level in the above areas, specific mention should be made of: Italy's ratification of the Council of Europe Conventions on preventing and combating violence against women and domestic violence (Act 77/2013) and on the Protection of Children against Sexual Exploitation and Sexual Abuse (Act 172/2012); Act 92/2012, to combat blank resignations; and Act 120/2011 on "Equal access to Boards of Directors and Boards of Statutory Auditors of publicly-listed companies".

9. At the international level, the Italian Government has actively participated in the negotiations on the **Post-2015 Agenda**[10] supporting the option that the Agenda addresses directly the challenge of gender equality, while mainstreaming gender equality across the other goals and targets. To raise awareness on that and define the relevant Italian position, a seminar was organized on 8 April 2015, by DEO in collaboration with the Ministry of Foreign Affairs and International Cooperation, the Ministry on Environment, Land Protection and Sea, AIDOS, and GCAP.

10. During the Italian Presidency of the EU Council-2014, based on the EIGE's report commissioned and monitored by the Italian Presidency on "Beijing plus 20: the 4th Review of the Implementation of the Beijing Platform for Action in the EU Member States", Italy prepared a set of Conclusions on "Gender equality in the EU: The way forward after 2015: Taking stock of 20 years of implementation of the Beijing Platform for Action", adopted by the EPSCO Council in December 2014.

[9] CEDAW/C/ITA/CO/6, para. 19, a.
[10] CEDAW/C/ITA/CO/6, para. 57.

Furthermore, on 23 and 24 October 2014, Italy organized in Rome, a High-Level Conference on the Beijing Platform for Action, entitled "Gender Equality in Europe: Unfinished Business? Taking Stock 20 Years after the Beijing Platform for Action", to give new momentum to the relevant European policies, after 2015. It gathered over 200 international experts, academia, politicians, CSOs, and representatives from the main European and international institutions and was closed by a Ministerial Round-Table on the future of gender equality policies, with the participation of about 20 EU relevant Ministers.

Part I

Articles 1, 2 and 3[11]

11. In addition to Article 3 of the Italian Constitution, Art. 1 of the Code on Equal Opportunities Between Women and Men (Legislative Decree 198/2006)[12] sets forth: "*Relevant provisions envisage measures, aimed at eliminating whatsoever distinction, exclusion or limitation based on sex, which might affect or hinder the enjoyment and exercise of human rights and fundamental freedoms (...)" in all spheres of life.* **Thus, there is no legal discrimination with regard to civil, political, social, economic or cultural rights between women and men.**

12. Italy abides by international human rights obligations, commitments and voluntary pledges. By Act 172/2012, Italy **ratified** the Lanzarote Convention. By Act 77/2013, Italy **ratified** the Istanbul Convention. On 25 September 2013, it **ratified** the Arms Trade Treaty, considered in the revised **National Action Plan on "Women, Peace and Security**[13] **(2014-2016)"**. On 19 November 2013, Italy was the first non-American country to sign the Belém do Pará Convention — the ratification of which is on-going. Furthermore, Italy participated in the Fourth World Conference on Women (Beijing, 1995); and it periodically produces relevant reports **(the latest one was submitted in early 2014)**.[14]

13. As for the ICMW **ratification**, under UPR-II (October 2014) Italy recalled the ratification of ILO Conventions C143 and C189, under which we have accepted to be periodically reviewed. As for the latter, the initial report illustrates the protection of domestic workers. As for **ICPPED**, Bill 2764/S was passed, on 15 July 2015.[15]

14. By recalling the above Code[16] **in terms of new domestic laws, mention has to be made of the following:** Act 2/2015 amending Art. 635 of the Military Organization Code on the physical parameters for the recruitment by Armed Forces, Police Forces and the national fire service; Legislative Decree 80/2015 on "Measures for reconciliation between care, work and family life", including *inter alia* a special paid leave for working women, victims of violence; Act 117/2014, not

[11] Articles 1, 2 and 3 have been clustered to indicate normative and factual changes, showing the strengthening of the "national machinery" and the integrated approach applied.
[12] Arts. 37, 51, 117 Cost.
[13] Article 8 below.
[14] CEDAW/C/ITA/CO/6, para. 56.
[15] CEDAW/C/ITA/CO/6, para. 58.
[16] The Code introducing gender mainstreaming aims at standardizing the relevant national legislation to better implement de iure and de facto gender equality.

allowing house arrest and alternative measures to detention for crimes, such as family maltreatment and stalking; Act 65/2014 on guarantees for gender representation in the election to the EU Parliament;[17] Legislative Decree 24/2014 establishing "The implementation of Directive 2011/36/EU, on preventing and combating trafficking in human beings and protecting its victims"; Legislative Decree 39/2014 transposing Directive 2011/93/UE to fight against child sexual exploitation, requiring child-care personnel working with children to preliminary provide their penal certificates (The employer failing this control is subject to an administrative pecuniary sanction — Art. 2);[18] Legislative Decree 7/2014 establishing the Joint Committee on Gender Perspective and intervening on family reunification and protection of the parenthood;[19] Law-Decree 93/2013 converted into Act 119/2013 on "Urgent provisions on safety and for the fight against gender-based violence, as well as on civil protection and compulsory administration of provinces";[20] Decree 76/2013, providing incentives for companies recruiting young people and focussing on the re-entry to the labour market (18,000 requests have been submitted to the National Social Security Agency (INPS), 38 per cent of which concerned women under the age of 29); Act 228/2012 introducing the obligation for national bodies dealing with gender equality to exchange information with corresponding European bodies and extending the prohibition of gender-based discrimination also with regard to start-up and when expanding a business or autonomous activity. This also envisages forms of parental leave, on an hourly basis; Act 215/2012 promoting the (re-)balancing of the gender representation in the regional and local Councils and Governments; DPR 251/2012, on the equal access to the boards of State-owned companies (implementing Act 120/2011); Act 172/2012, ratifying the Lanzarote Convention and amending the Criminal Code, including on family ill-treatment; Act 92/2012,[21] Decree 179/2012 (adopted as Act 221/2012) and Act 228/2012 (2013 Stability Law), constituting the main Italian laws for the promotion of labour market participation. In particular, Act 92 contains paternal leave and child-care measures to facilitate reconciliation and provisions against blank resignations (Art. 4);[22] Decree 179/2012 established financial contributions for women to purchase educational services for their children; Act 62/2011 requiring that from 1 January 2014, the Penitentiary Administration (hereinafter, DAP) shall open low-security penal establishments for both accused persons who need to be held in custody and finally-sentenced persons of both genders, having children up to the age of 6 (DAP data annexed).[23]

[17] And specific transitional provisions for the 2014 elections.

[18] CEDAW/C/ITA/CO/6, para. 25 (*mutatis mutandis*).

[19] The Ministry of Defense established an ad hoc Unit on Gender Perspective; and the specific course to train Gender Advisor has been launched (Arts.7-8 below; and Annex 1 "Miscellaneous").

[20] CEDAW/C/ITA/CO/6, para. 27, f.

[21] Act 92/2012 giving benefits to companies employing women (as at 2014, 6,500 women, of whom 4,500 in the South).

[22] CEDAW/C/ITA/CO/6, para. 39. 14,000 women hired as at May 2014. Female employment shows a steady increase in women aged 15-64: 9,300,000, in 2012.

[23] Such facilities shall have structural characteristics inspired to normal houses; a specific regime will be established, focusing on raising the inmates' responsibility as for their parental duties. The above-mentioned Act also provides for the parents imprisoned in low-security penal establishments to keep children up to the age of 10 with them, pending access to home detention.

15. In light of the above legislative framework, **several Administrations**, especially Armed Forces,[24] State Police, Carabinieri, *Guardia di Finanza*, and Penitentiary Police, provide specific training and/or investigative units.[25] The Ministry of Health launched in November 2014, an Action Plan on Roma Health, focussing on Roma women and girls.[26] Since 2006, DEO has commissioned ISTAT (standing for National Office of Statistics) with relevant surveys.[27] Within the Ministry of Justice, DAP actively participated in the interministerial Task Force on Violence Against Women;[28] translated and disseminated the Bangkok Rules; signed an MoU with the Children's Rights Ombudsman in March 2014; elaborated the 2010 Guidelines to manage women detainees affected by HIV; and determined the features of the so-called "protected family houses" for mother detainees, when a fixed abode lacks (Ministerial Decree, dated 8 March 2013).

16. With regard to **lifelong learning programmes** for the Police and the Judiciary,[29] the School of the Superior Council of the Judiciary, established in 2012, provides training weeks for magistrates.[30] Since June 2013, it focuses on the assessment of evidence and investigation protocols for crimes against vulnerable groups, particularly stalking. The large participation of judges ensures that programmes are kept abreast of current developments (in addition to courses focused on IHRL).

17. Training for specialized groups and **the coordination of activities within judicial offices, in particular for the Prosecutor's Offices, are designed to make judicial interventions as qualified as possible**.[31] Similarly, training on "vulnerable groups" allows for a continuous exchange of information about violence-related crimes, including a tentatively standardised interpretation of rules. There is also an initiative to draft MoUs, to improve links between all judicial bodies and care facilities (e.g. social services, NGOs, care centres, including anti-violence Centres and hospitals). These MoUs — albeit within the limited scope of this kind of agreement — are of great relevance, precisely for the training of all operators as they provide an important opportunity for discussion on key issues and overall for the analysis of concrete solutions to combat GBV.

18. At the organizational level, the position of the Magistrate Coordinator at the Prosecutor's Office has been created for urgent issues related to the "more vulnerable group of victims". Judges specialized in relevant crimes have been also increased, while periodic meetings are held to ensure fruitful exchanges of information and a more uniform response. Constant contacts with other competent judicial offices have been also established, in particular, among the Prosecutor, the Juvenile Court and the Ordinary Court. **Equally important is the consistent and**

[24] The above Unit at the Ministry of Defence is tasked with the implementation of gender perspective and UNSCR1325(2000) within the Armed Forces and *Carabinieri*. It is also tasked also with statistical research, training and information programmes.

[25] 47 military officers and five civilians attended the first course for Gender Advisor. From 2015, this course is open to other branches of the Central Authority.

[26] CEDAW/C/ITA/CO/6, para. 19, a.

[27] CEDAW/C/ITA/CO/6, para. 27, d

[28] See information below.

[29] Under the VAW Plan, 2010-2013, a training course on stalking was carried out by the Stalking Unit of the Scientific Investigation Group.

[30] CEDAW/C/ITA/CO/6, para. 15, d.

[31] CEDAW/C/ITA/CO/6, para. 26.

effective cooperation with the National Bar Association and the Bar Association of each Court district — which, in some cases, has led to holding relevant meetings with a large participation of lawyers and judges.

19. As for "**National machinery**",[32] over the years DEO has strengthened its coordination role. It is now responsible for guidance, proposal and coordination of regulatory and administrative initiatives to support women's human rights; prevent and eliminate all forms of discrimination, combat VAWG, exploitation and THB, as well as all violations of the fundamental rights to the integrity of the person and health of women and girls. DEO is also entrusted with the collection and organization of information, also through the creation of specific databases[33] and promotion of surveys, monitoring, training and information activities on equality and equal opportunities, adoption of the necessary initiatives for the programming, guidance, coordination and monitoring of ESF and ERDF for gender equality policies. DEO also coordinates all relations with State, regional and local Authorities, as well as with bodies operating in the field of equality and equal opportunities, both in Italy and abroad. Operationally, DEO works through three main Offices: Office for general and international affairs and interventions in the social field; Office for interventions on gender and equal opportunities; and Office for the promotion of equal treatment and the removal of discriminations, based on race or ethnic origin (hereinafter, DEO-UNAR).

20. In accordance with EU Directives 2000/43/EC and 2000/78/EC, **DEO-UNAR** is the Office for the promotion of equality and the removal of all and intersecting forms of discrimination (Art. 7, Legislative Decree 215/2003). Its relevant activities include: contribution and support for the annual Dossier on Immigration (2014 edition "From discrimination to rights"[34]), together with IDOS, in order to provide update of the statistical framework on migration of women and men in Italy. Further, DEO-UNAR is the National Contact Point for the National Strategy on Roma Integration (Annex 1 "Miscellaneous"). It also adopted the First National Strategy to Prevent and Fight Against Discriminations grounded on Sexual Orientation and Gender Identity. DEO-UNAR is also responsible for the launch of the Action Plan against Racism, Racial Discrimination, Xenophobia and Related Intolerance.[35] Finally, under the responsibility of Under-Secretary of State for Integration, DEO-UNAR resumed the National Working Group on Religions.[36] In all the above national Strategies, **an integrated approach has been introduced; and relevant CSOs and regional and local Authorities, mainly through ANCI and the State-Region Conference,** have been involved.

21. Another fundamental institutional mechanism for the promotion of equal opportunities and gender equality at the workplace is **the Councillor for Equality**, working at a national, regional and provincial level. She undertakes initiatives to ensure respect for non-discrimination and promotion of equal opportunities at workplace, and promotes and monitors gender discrimination. By the National Network of Equality Advisors, consisting of 220 regional and provincial equality

[32] CEDAW/C/ITA/CO/6, para. 17.
[33] CEDAW/C/ITA/CO/6, para. 19.
[34] CEDAW/C/ITA/CO/6, para. 53, f.
[35] CEDAW/C/ITA/CO/6, para. 17.
[36] CEDAW/C/ITA/CO/6, para. 53, d.

advisors, her role has been significantly enhanced.[37] Art. 46 of the Code on Equal Opportunities provides the obligation for both public and private companies, with more than 100 employees, to submit every two years a report on the staff situation highlighting quantitative gender-related differences in relation to: recruitment, training, career promotion, level of employment, change of category or qualification, and institutes, such as mobility, redundancy fund, layoffs, early retirements and retirements and wages paid. The report must be sent to the regional Councillor and to the enterprise union representatives. In case of failure, the Regional Directorate of Labour invites the employer to comply within a 60-day time limit, after which it will apply administrative sanctions and, in the most serious cases, it can also suspend all contributory benefits — if enjoyed by the company — for a period of one year. More generally, to prevent discrimination, Art. 50-b of the Equal Opportunity Code also stipulates that collective agreements may provide for specific relevant preventive measures, including codes of conduct, guidelines, best practices, particularly on: harassment and sexual harassment at the workplace; working conditions; as well as training and professional development.

22. Following Act 183/2010, the then Ministers for Public Administration and for Equal Opportunities jointly issued Guidelines-2011, on "The Committees for the Protection of Gender Equality (**CUGs**)" that took over the functions previously entrusted to the Equal Opportunities Committees and the Joint Committees on mobbing. CUG's mandate, mainly focussing on consultancy and monitoring, covers all grounds of discrimination, as well as economic treatment, career advancement, security, and labour's access.

23. Equally important is the **Department for Family Policies** that is responsible, inter alia, for the promotion and coordination of relevant Government's action, aimed at ensuring the implementation of family policies and supporting both maternity and paternity. This Department promotes, encourages, and finances reconciliation-related measures; and works through the Observatory on Childhood and Adolescence, and the Observatory on Family. The Observatories are in charge of drafting the Action Plan for Children and Adolescents and the Action Plan for Family, respectively.

24. The mandate of the National Commission for Equal Opportunities expired in 2012. However, other mechanisms have been set up with the aim of bringing forward the regular **dialogue and cooperation with CSOs**,[38] such as the organization of meetings with the main national NGOs and trade unions: before the yearly session of the United Nations CSW; on specific topics before the development and implementation of specific interventions, such as the National Extraordinary Action Plan on Sexual and Gender-based Violence and the National Action Plan on THB; the issuance of Call for Proposals addressing NGOs to finance actions to promote equal opportunities, and their involvement in European projects; and the drafting of reports to the UN.[39] A similar participatory approach emerges from CIDU's interministerial and inclusive work: on the revised National Action Plan in accordance with UNSCR1325 (2000), 2014-2016; when preparing the UPR

[37] Should the dispute go unresolved, a legal action can be initiated, or s/he may intervene *ad adiuvandum* in relevant judicial proceedings.

[38] CEDAW/C/ITA/CO/6, para. 19, c.

[39] Over 40 CSOs addressed the then Minister for Equal Opportunities.

and CEDAW reporting. Along these lines, DEO and CIDU signed an MoU in June 2015, for an ad hoc WG with CSOs, to support the National Observatory on VAW.

25. In November 2014, DEO set up a **National Solidarity Fund** to advance payment of the legal expenses of judicial proceedings made by victims of discrimination.

26. During the EU 2007-2013 planning period,[40] **Italy launched actions for women's employment and reconciliation, as well as innovative tools and transferable methodologies in order to improve access to credit for female enterprises in southern Italy. The abovementioned planning period was also focused on actions aimed at promoting diversity management tools for women's career advancement and for the improvement of their overall work conditions, especially for immigrant women**.

27. Moreover, **Italy has implemented actions aimed at fighting gender-based discrimination, under EU thematic funds (i.e. the 7th Framework Programme for Research; the Progress Programme; the Specific Programme on "Fundamental rights and citizenship" (2007-2013); the Prevention of and Fight against Crime Programme for 2007-2013; and the Rights, Equality and Citizenship, 2014-2020)**. As for DEO on FGM, see Article 12 below. In particular, the use of European Structural Funds and the thematic programmes have increased. This is due to improved regional expertise on gender equality issues and to a more widespread gender mainstreaming[41] approach.

28. In light of the above, the Ministry of Labour has worked to improve women's access to microcredit and to establish SMEs. In September 2013, it launched: the campaign *"Re-starting from you. Being a woman: a nice business"*; and a special Fund of 15 million euros for 2014 (20 million in 2015 and 2016). Under the European Year for Reconciliation, the project "LaFemMe" by developing training and counselling, focuses on female employment.

Article 4

29. Following amendments to Art. 51 of the Constitution by Constitutional Law 1/2003, increasing awareness refers to the need to raise female participation in elective assemblies and political offices. In the current reporting period, Italy adopted: **Act 65/2014** on the European Parliament election and guarantees for women's representation, including transitional provisions for the 2014 European Parliament elections (when voting for up to three candidates, the choice must refer to candidates of both sexes otherwise the third preference will be annulled; lists must equally represent men and women; and representatives of both sexes have to be placed at the top of each list of candidates); **Act 215/2012** promoting gender (re-)balance in the representation in the regional and local Councils and Governments; and **Presidential Decree 251/2012** on equal access to the Board of State-owned companies.[42]

[40] De facto concluded between 2014-2015.
[41] CEDAW/C/ITA/CO/6, para. 19, a.
[42] Implementing Act 120/2011.

30. By Act 120/2011,[43] the governing bodies of publicly listed companies, from 12 August 2012 onwards, must renew their Boards by reserving a quota of at least one fifth to the less represented gender. From the second and third renewal of the corporate bodies, women should be at least one third. The process for amending the statutes of the above companies is a factor that should not be underestimated. The statutory amendments in question are not of a mere regulatory significance but have an impact on the policies of corporate governance of companies, through the renewal of their corporate bodies. In particular, this new Act applies to State-owned companies after the entry into force of DPR 251/2012 on 12 February 2013. This law will be valid for three mandates, until 2022; and it provides a mechanism for rounding up. The decimals arising from application of one fifth and one third are rounded off for excess to the superior unity. The provisions of law establish a legal dual-track: for publicly listed companies, the discipline went by the same law Golfo-Mosca and in detail by a subsequent Regulation of CONSOB (Italian Stock Exchange Authority); for State-owned companies, the discipline is governed by a subsequent Regulation, the above mentioned D.P.R., dated 30 November 2012. As for the latter, the oversight is attributed to the President of Council of Ministers or to delegated Minister for Equal Opportunities.

31. The above Regulation establishes that State-owned companies must communicate to the President of Council of Ministers, or to the delegated Minister for Equal Opportunities, the composition of social organs, within 15 days since its nomination or the date of substitution in case of composition modification. When the respective supervisors verify that the gender quotas obligations are not met, they apply the following penalties: for publicly listed companies, CONSOB will issue a warning to the defaulting company asking for compliance within four months. If the company does not comply, CONSOB imposes an administrative penalty of up to 1 million euros for the administrative board, and up to 200,000 euros for control bodies, besides setting a new three-month term for the attainment of gender balance. If the company still fails to comply, the bodies will be removed; for State-owned companies, the President of Council of Ministers or the delegated Minister for Equal Opportunities applies a double warning mechanism, with deadline of 60 days each, after which, if the company does not comply, the elected body is removed.

32. Act 120/2011 has increased female's rate in boards of listed and State-owned companies. **For listed companies, women on boards have risen from nearly 6** per cent **in 2010 to 25.5** per cent **in April 2015 (from 22.7** per cent **in 2014 and 17.8** per cent **in 2013) whereas 20** per cent **is required by the law for the first renewal. While, after the entry into force of DPR 251/2012 (as at April 2015) women's rate in boards of State-owned companies amounts to 25.8** per cent.

33. Furthermore, the Italian Government launched the "Women Mean Business and Economic Growth — Promoting Gender Balance in Company Boards" project, co-financed by EC and coordinated by DEO, in collaboration with Dondena Centre and Bocconi University, to promote gender-balanced representation in economic decision-making, by a set of actions, such as: setting the scene for women in economic decision-making; providing data on female leadership and best practices to promote female leadership; and impact-assessment analysis of the new legislation and aggregated measures, etc.

[43] CEDAW/C/ITA/CO/6, paras. 21, 33, a, c.

34. Concerning gender quotas, DEO has launched an awareness-raising campaign, entitled "Gender Quotas: A More Balanced Country has a Better Future", to promote gender balance in decision-making, also through the dissemination of the provisions on equal access to Boards of Directors and Boards of Statutory Auditors pursuant to Act 120/2011 and Presidential Decree 251/2012 ("Miscellaneous").

Article 5[44]

35. Stereotypes and the complexity of the situation that society is experiencing also due to socio-economic problems impact on the implementation of relevant legislation and other measures. On 9 December 2013, a report, financed by DEO, entitled "*Stereotypes, renunciation and gender-based discrimination*", was issued and based upon the ISTAT survey-2011, "Discrimination based on gender, ethnic origin and sexual orientation" which takes stock of the situation of women with regard to roles and responsibilities in the labour market, family, and school, besides mapping the areas where relevant interventions are needed.

36. Numerous **awareness-raising campaigns are carried out by DEO,[45] to overcome prejudices and stereotypes.** With regard to the VAW Plan, relevant training-related initiatives included: a) Specific courses for law enforcement, by behavioural and organizational models already tested on the territory (Prosecutor's Office of the municipality of Cosenza; the Police Headquarters in Catania and Verona) through ad hoc Protocols, namely S.A.R.A. ("Spousal Assault Risk Assessment"), S.I.L.V.A. ("Stalking Victims and Risk Assessment") and E.V.A. ("Examination of Violent Acts); b) Relevant awareness-raising campaigns for the whole judiciary (DEO and the Ministry of Justice); c) Awareness-raising for the Stalking Unit, under the MoU signed by the General Command of the Carabinieri Corps and DEO. Further, DEO launched in 2009 the "Week Against Violence and Discrimination", following an MoU with MIUR. During that Week, schools organize awareness-raising and training on the prevention of violence based on all forms of discrimination.[46] Since 2004, DEO-UNAR organizes the Week against Racism that in the March 2015-edition was jointly launched with ANCI (National Association of Italian Municipalities) and involved 700 Municipalities.[47]

37. The Government has also recently launched the following campaigns: "*Quote di genere. Un paese più equilibrato ha un futuro migliore*", to promote gender balance in decision-making processes; "*Sì alle differenze, no all'omofobia*", to promote respect for diversity, and fight against homophobia; "*Abilità diverse. Stessa voglia di vita*", to promote women and men's respect for persons with disabilities; "*Made in Italy*", against racism. Starting from early 2015, DEO and Self-regulatory Institute on Advertisements renewed and strengthened their MoU, with a view to enhancing cooperation to monitor and remove offensive and indecent ads. In compliance with this MoU, DEO is entitled to ask for the removal of degrading

[44] CEDAW/C/ITA/CO/6, paras. 22, 25; and follow-up letter, dated April 2014.
[45] CEDAW/C/ITA/CO/6, paras. 27, c, e.
[46] For this Week, principals can request support from: Carabinieri; Postal Police; and NGOs, such as ACLI, Agedo, Arcigay, ENAR, FISH, IREF, Telefono Azzurro, and Telefono Rosa.
[47] CEDAW/C/ITA/CO/6, para. 53, d.

advs., also upon reporting from other entities.[48] A similar model to monitor local advertisements has been replicated with ANCI.[49]

38. Within the media system, the national public broadcasting service (RAI)[50] adopted specific Guidelines to better and adequate portraying women.[51]

39. DEO has launched various projects: "FIVE MEN",[52] within PROGRESS, to convey a zero tolerance message on VAW, including in school system, specifically targeting men and boys; and "Recognize Violence Campaign", launched in November 2013 and officially translated into English and Spanish (following the signature of the Belém do Para' Convention).

40. Specific initiatives to fight stereotypes have been envisaged with regard to schools and the revision of textbooks, especially within the Extraordinary Plan of Action against GBV. DEO set up, on 27 February 2015, a Group of experts on language and gender[53] that consists of gender-based language experts and experts from the labour market, with the aim at: raising awareness of the correct use of the Italian language to be respectful of both sexes; elaborating guidelines for the Public Administration and the media sectors; and educational models.[54] Additional initiatives take place within the State Police and the Armed Forces.[55]

41. Under the Roma Integration National Strategy,[56] specific anti-discrimination measures, which include a gender perspective, have been launched ("Miscellaneous"). More broadly, DEO-UNAR has decided to implement a specific strategy going beyond the legal assistance to victims of discrimination so as to impact on the structural causes of discrimination.

42. At **the international level**, Italy has promoted various initiatives in the field of HRE, culminating in the United Nations Declaration on Human Rights Education and Training. Training in the field of IHRL and IHL is provided to the staff of the Ministry of Foreign Affairs, including to young diplomats during their probation period and consular personnel, particularly on THB.

43. More generally, Italy **developed training modules on gender issues** for Italian military personnel and international Armed Forces, trained within bilateral and multilateral programmes with the EU and the UN. Curricula of the training Institutes for the Armed Forces, Carabinieri, and *Guardia di Finanza* include IHL, aimed at providing knowledge, particularly of procedural and behavioural rules.[57] Similar modules are included in the ISSMI (Joint Services Staff College) and IASD

[48] CEDAW/C/ITA/CO/6, para. 25.
[49] CEDAW/C/ITA/CO/6, para. 25.
[50] CEDAW/C/ITA/CO/6, para. 27, e.
[51] http://www.rai.it/dl/rai/text/ContentItem-90a3232f-5d76-4bd0-80df-49c3800276d2.html.
[52] http://www.cosedauomini.eu/.
[53] CEDAW/C/ITA/CO/6, para. 25.
[54] http://pariopportunita.gov.it/index.php/primo-piano/2611-linguaggio-di-genere-costituito-un-gruppo-di-esperti.
[55] The revised National Action Plan, in accordance with UNSCR1325 (2000), 2014-2016; See also OSCAD under "Miscellaneous".
[56] CEDAW/C/ITA/CO/6, paras. 52-53.
[57] The United Nations Charter; the 1949 Geneva Conventions and Additional Protocols; the applicability of the law of armed conflict to peace operations; the prohibition of the use of force and the right of self-defense under the United Nations Charter and international customary law; the protection of human rights; the jurisdiction of international courts, etc.

(Institute for High Defence Studies) curricula, as well as in the Single Service Staff Course (or corresponding courses), the Military Legal Advisor course (where specific CAAC issues are addressed) and the Civil-Military Cooperation (COCIM) course.[58] Courses for those to be deployed in peace operations focus for example on: NAP 1325 and CEDAW. In addition, the Centre of Excellence for the Stability Police Units (CoESPU) in Vicenza also offers high-quality training with specific modules on protection of civilians, GBV, HRL and IHRL (overall in the context of the deployment in international missions).

44. A few ad hoc Teams, known as "**Female Engagement Teams**", have been formed by two specialized Army Units and are meant to establish a direct relationship with the local population. Personnel assigned to these Teams are provided with all necessary instruments, including linguistic tools, for cultural interaction and cooperation with the local female population. On the Italian Defence Ministry's official website, a permanent link has been created, from which all applicable legislation on relevant activities in this specific field can be retrieved.[59]

General recommendations 12, 19 and 31

45. National policies on VAW, including domestic violence, are increasingly based on an approach, which is integrated, participatory, inclusive, and multidisciplinary — as also reflected in prevention, protection and repressive measures involving the public and private sectors.

46. By Act 77/2013,[60] Italy was one of the first States to ratify the Istanbul Convention. In line with the Convention and prior to its entry into force, Italy adopted on 14 August 2013, Law-Decree 93, converted into Act 119/2013 on "Urgent provisions on safety and for the fight against gender-based violence, as well as on civil protection and compulsory administration of provinces". By amending both the penal and penal procedure codes, the above Act introduces more effective measures, aimed at: preventing VAW; protecting victims and their children; and punishing the perpetrators more severely.

47. **Article 5 of the above Law-Decree envisages the adoption of an "Extraordinary Action Plan on Sexual and Gender-Based Violence, upon agreement by the Unified Conference and following elaboration by the Administrations concerned, with the support of relevant women's associations and anti-violence Centres/shelters".** To this end, an inter-institutional Task Force coordinated by DEO was established on 22 July 2013, consisting of all Ministries concerned, Regional and Local Authorities, and CSOs. It has thus worked on a wide array of measures, including: preventive measures; awareness-raising campaigns; actions to promote gender equality in schools — to teach the correct relation between boys and girls, besides a specific focus on anti-violence and anti-discrimination in the school textbooks; strengthening anti-violence Centres, as well as the services to assist and protect victims/survivors of violence to make them "agents for change"; ad hoc training for key professionals; increasing collaboration among Institutions, data-collection; specific positive actions; designing of an ad hoc

[58] Elements of IHL are also included in the curricula of the basic training modules.
[59] http://www.difesa.it/Content/Risoluzione1325_2000/Pagine/default.aspx.
[60] CEDAW/C/ITA/CO/6, para. 27, f.

governance system, including all key Institutions. The Unified Conference approved the above Action Plan, in May 2015.[61]

48. According to Article 5 of Act 119/2013, the **financial resources** allocated for the implementation of the Plan amount to: 10 million euros for 2013; 10 million euros for 2014 (Act 147/2013); 9,119,726 million euros for 2015. Further 10 million euros are expected to be allocated for 2016 (Act 147/2013).

49. In 2013-2014, to support anti-violence Centres/shelters, the Italian Government envisaged specific funding; and through DPCM, dated 27 November 2014, the minimum requirements to get access to such funds starting from 2015 have been determined.

50. Over the years, Italy has also focused on collecting data on VAW through **ISTAT** carrying out two important surveys, commissioned by DEO ("Miscellaneous"):

- The first 2006-ISTAT survey reported that 6.7 million women, aged 16-70 (31.9 per cent of all women), had been victims of violence[62] at least once in their lives. Five million women were victims of sexual violence and 1 million of rape or attempted rape. ISTAT also estimated, there were 74,000 cases of rape or attempted rape, of which 4,500 were reported to the Police. Partners commit approximately 23 per cent of sexual abuse cases (*http://www.istat.it/en/archive/34562*).
- On 5 June 2015, ISTAT released the follow-up survey, the results of which are to be widely disseminated also among migrant women. Carried it out in 2014 on a sample of 24,000 women aged 16-70, ISTAT indicates, the most affected foreign women are from: Romania, Ukraine, Albania, Morocco, Moldavia and China. In the survey, some sections investigate the percentage of women seeking for help in shelters and services and their feedback. The survey also collects data on stalked women. To contribute to assessing stalking, ISTAT also collects data about women's assessment of the relevant legislation.[63] Furthermore, 49.3 per cent of women, victims of violence, stated that they are aware of the right to free legal aid ("Miscellaneous"; and ISTAT data annexed).

51. **Education-related initiatives** in the field of VAW and stalking are being developed for basic (a) and advanced (b) training for Carabinieri personnel: For the basic training, students attend a module on IHRL (2,500 units, in 2013-2014). For the advanced training, the following activities are worthy of mention: *Prevention and Investigation of Sexual and GBV*; *Training and Awareness on Counter-Trafficking for Peacekeepers*; Seminars (financed by the DEO) to foster standardized training among the various Police Forces (about 1,650 units); Specific seminars organized at the Carabinieri Officers School from 2012-2013, with the support of Sant'Anna School in Pisa; Seminars for training Territorial Units personnel on harassment offences (about 5,700 units); a training course, "Train the Trainer Workshop: Anti-Discrimination & Diversity and Other Fundamental Rights Topics in Police Training"; other relevant initiatives, such as ad hoc training

[61] CEDAW/C/ITA/CO/6, para. 27, a.
[62] CEDAW/C/ITA/CO/6, para. 27, d.
[63] However, according to privacy protection law, ISTAT cannot collect data about ethnic origin and religious affiliation (http://www.istat.it/it/archivio/157059).

programmes at Carabinieri-ISTI (Advanced Institute of Investigation Techniques);[64] and the involvement of officers in the ODIHR group of Trainers.

52. The **RaCIS (Forensic science laboratories of the Carabinieri Force)** Section on harassment offences, based on an MoU with PCM-DEO, is tasked with research besides providing advice for relevant strategies. In this context, Carabinieri has organized specific training for a standardized conduct of officers dealing with the victims of GBV — in line with a specific MoU between Ministry of Interior and DEO.

53. In the **basic training and refresher courses for State Police**, increasing attention is paid to assisting victims of domestic violence, stalking, and abuse in the family, as well as to IHRL, and the protection of vulnerable groups. More specifically, domestic violence and stalking fall within standardised refresher courses on: "Stalking and Crimes against Vulnerable Groups"; monitoring and combating discrimination against minorities and the role of OSCAD; violence against women and children, and specific issues relating to the operational, legal and psychological impact of violence. From 2014, the Ministry of Interior envisages additional cycles for local investigative Police of 103 Police HQs.

54. Increasing attention has been paid to ***femicide***. In this regard it has been tested a specific tutorial for Vice-Superintendents (XXV course) and for the VI refresher course for the Police Sport Groups. Between 2013-2014, 4,741 Police staff have been trained. Between October 2013-October 2014, the Operational Central Service attended the IV and V international Congress of the GREAT Network on emergency medicine, with two interventions on the role of the Police in preventing and repressing VAW and the need for a multi-stakeholder approach during first aid.

55. Various projects have been completed under the Daphne Programme. Worthy of mention is: MuTAVI (Multimedia Tools Against Violence), conducted by the Central Directorate of the Criminal Police Department, together with the Department of Psychology, University "La Sapienza" and "Institute for the Mediterranean". The purpose was to create and produce multimedia materials for training professionals, practitioners, and caregivers, such as Police, lawyers, as well as socio-medical staff, responsible for first contact and support for victims of violence by their partner (Intimate Partner Violence — IPV). The ultimate goal is to raise awareness and promote prevention strategies against violence, in particular, IPV — in continuity with the European project AGIS (also called Victas).

56. **Significant legislative development** includes, as follows: Law Decree 11/2009 converted into Act 38/2009 introduces the crime of stalking (Art. 612-*bis* of the Italian Criminal Code). To prevent and further protect victims of stalking, a new administrative measure "warning (*ammonimento*)" has been entrusted to *Questore* (when the victim does not want to take action against the offender), thus initiating the criminal prosecution. Stalkers shall be punished by imprisonment up to four years. Penalty is increased if the offence is committed by the spouse, who is legally separated or divorced, or by a person previously engaged in an emotional relationship with the victim. Penalty is also increased if the crime is perpetrated against a minor, pregnant woman or person with disabilities. To further enhance the

[64] The course lasts 2 weeks and aims to enhance knowledge of Territorial Units personnel (about 100 participants for each course) in order to identify adequate measures for preventing/punishing events related to GBV.

fight against stalking, the then Minister for Equal Opportunities and the Minister of Defense signed, in January 2009, an MoU, by which a specific Unit has been established at Carabinieri Corps; Act 172/2012 ratifying the Lanzarote Convention amended Art.572 c.p. on, "Mal-treatment against family members and cohabitants" and provided for harsher penalties (up to six years of detention). Furthermore, it doubled the time limit (from 10 to 20 years), within which the victim is entitled to report sexual abuse to the Police;[65] Act 119/2013 addresses both stalking and GBV, which had been already regulated, through three conceptual pillars based on prevention, punishment, protection.[66] As for prevention, it strengthens the above "warning" (*ammonimento*), as well as the gun banning, driving disqualification and the possibility to use electronic tags. Concerning the punishment, new aggravating circumstances are to be mentioned; penalty is increased if children under the age of 18 witness violence as well as if the victim is in a particularly vulnerable situation (if pregnant). Moreover, *femicide* is further strengthened by consideration for the particularly close relationship between the victim and the perpetrator as an aggravating circumstance (e.g. if the perpetrator is the victim's spouse or partner, also non-cohabiting partner); In line with the Istanbul Convention, the Italian law aims at ensuring greater protection for victims both in relation to hearings, which will be protected, and through a system guaranteeing transparency during ongoing investigations and legal proceedings, besides the obligation to inform victims about local support services. Furthermore, the law provides for legal aid also for women victims of domestic violence, whose income exceeds the income limits fixed by national legislation. More generally, as for the protection of the victims, Legislative Decree 9/2015, transposing Directive 2011/91/EU, on the Order of European Protection, aims at ensuring the mutual recognition of the effects of the protection measures for the victims of crime when adopted by the judicial Authorities from EU Member States.

57. Within this framework, the Court of Cassation stressed that the consent to sexual acts between spouses or partners is essential: should it fail, the conduct will be of a penal relevance (Sect. III, 36962/2007). By Law Decree 93/2013, it has been acknowledged further the seriousness of sexual violence as manifestation of dominion within relationships or as a stalking tool, following the end of a relationship.[67] Moreover, it should be stressed the equalization between conducts perpetrated during the relationship to those ones at the end of it. The above Law Decree has also set aside the requirement of "legal" separation, envisaging the increased penalty regardless of the status between partners. Plus, this has introduced a new aggravating circumstance in the event of stalking, via new social media. Procedurally speaking, by Art. 612-bis cp., the remission of lawsuit can be decided through a judicial proceeding, only; and complaint cannot be withdrawn in the event of serious threats of recurrence. By the above Law-Decree, the ban on weapons is mandatory while under Art. 8 of Law-Decree 11/2009, the *Questore* (senior Police officer) is mandated to assess it.

58. The growing **general awareness is also confirmed by the significant increase in the request for precautionary measures** (with a total of 30 per cent) for: domestic violence (Art. 572 cp); sexual violence (Art. 609-b cp); and stalking

[65] This innovation is linked to domestic violence since, in most cases, child sexual abuse is perpetrated within the family.

[66] CEDAW/C/ITA/CO/6, para. 27, b.

[67] CEDAW/C/ITA/CO/6, para. 26.

(Art. 612-b cp). The seriousness of the violence committed (almost exclusively) to the detriment of women and children must also be taken into consideration: more and more frequently, the severity of the facts and the danger of perpetrators require the adoption of stricter precautionary measures, such as preventive detention.[68]

59. To further translate the UNCRC, UNCEDAW, Lanzarote and Istanbul Conventions, **pursuant to Act 172/2012, some Public Prosecutor's Offices have recently added to their offices a "protected hearing room"**, which allows them to listen to women and children and, in general, the victims of violence in a more appropriate setting. To this end, the Prosecutors' Offices have also given clear guidance to the judicial Police on how to collect information. In some offices, we have set up daily shifts of expert consultants, available h/24, to ensure immediate assistance to Police when gathering information from the victim if and when an urgent investigation so requires. For this service, specialized judiciary from larger districts has been assured, by constant and timely contact, even for purely advisory purposes, between the judicial Police and the Coordinator of the pool of specialized prosecutors.

60. Under **the first National Plan against GBV and Stalking (2010-2013)**, DEO has: renewed the MoU with ISTAT, with a view to conducting a new national survey; entrusted the management of the 1522 helpline number supporting victims of gender-based violence and stalking. As also mentioned in 2011, this h/24 helpline is a toll-free number, which can be contacted from both fixed and mobile phones with reception available in many languages (Italian, English, French, Russian, Arabic). Over six years, the 1522 helpline has provided assistance to over 80,000 women, victims of violence, 10 per cent of whom coming from abroad; carried out several trainings for law enforcement and lawyers; signed a new MoU with the Carabinieri, for the regular collection of data on crimes against vulnerable people, and the setting up of a database; carried out several communication campaigns on VAW[69] (also worthy of mention are: the codes of conduct in the tourism sector and for media professionals, respectively); set up, in November 2012, the Monitoring Committee on the implementation of the Plan's activities; issued three Calls for proposals to grant funds for anti-violence Centres and those other services providing support and assistance for women, victims of violence.[70]

61. The eradication of **harmful traditional practices** represents one of the main Italian priorities. In 2014, DEO commissioned a specific research on CEFM,[71] which resulted in a publication,[72] showing the difficulty of detecting this situation and the overall underreporting. When cases[73] have been brought before the justice,

[68] Significant increase in arrests *in flagrante delicto* is to be noted with an increase, between 2011-2012, in certain areas, of about 40 per cent.

[69] CEDAW/C/ITA/CO/6, para. 27, e.

[70] a) by the first Call for proposals, DEO granted up to 140,000 euros for each of the 24 selected projects submitted by Municipalities in partnership with CSOs for the creation/strengthening of local anti-violence networks; b) By the second Call, 10 million euros were granted directly to anti-violence Centres; c) Through the third Call, 1.7 million euros was allocated to train health professionals. This provision will make it possible to set up 27 new Emergency Rooms throughout the country, which will be equipped to provide specialized assistance for women victims of violence, in addition to the existing 15 specialized Emergency Rooms.

[71] CEDAW/C/ITA/CO/6, para. 53, b.

[72] http://www.pariopportunita.gov.it/index.php/archivio-notizie/2473-il-matrimonio-forzato-in-italia-conoscere-riflettere-proporre.

[73] CEDAW/C/ITA/CO/6, para. 53, b.

they fell within: family ill-treatment; abuse; and reduction into slavery. Italy is also actively engaged in the international campaigns for the eradication of FGM and CEFM. In October 2013, Italy hosted in Rome the international conference "Action to achieve commitments towards United Nations GA Resolution 67/146 on Intensifying global efforts for the elimination of FGM; at the last United Nations HRC29, Italy co-facilitated (A/HRC/RES/29/8) on "Strengthening efforts to prevent and eliminate child, early and forced marriage", adopted without a vote and cosponsored by approx. 85 UNMS (Art. 12 below; and "Miscellaneous").

62. The Italian Development Cooperation supports through annual voluntary contributions the activities of UN-Women, UNFPA and continues to be one of the major donors of the Joint UNFPA/UNICEF programme "Female Genital Mutilation/ Cutting: Accelerating Change". Relevant **development cooperation** initiatives have been also carried out in various priority countries. The commitment to recognise VAW as a human rights issue, to challenge de jure and de facto discrimination against women and to end impunity for the widespread use of sexual violence in war and armed conflict has been strengthened after 2009 when Italy launched the first G8 initiative against VAW. Since then, the support against THB, FGM, CEFM and GBV has been strengthened both at the political and financial levels.

Article 6

63. Since 1998, Italy has been at the forefront of the fight against THB and the protection of victims, both children and adults. The Italian model, considered as a best practice, is based on a victim rights-centred approach. The main legal provisions include: Art. 18 of the National Law on Immigration (Legislative Decree 286/1998); and Art. 13 of the National Law against THB (Act 228/2003), whereby Programmes for temporary assistance (above Art. 13) and Programmes for long-term assistance and social inclusion (above Art. 18) are established. Another powerful instrument is the National Anti-Trafficking Toll-Free Helpline. Within this framework, victims of trafficking benefit from special residence permit for social protection, which can be granted upon participation in the "Article 18 programme". The permit, renewable for one year, is valid for six months. It can be converted into a residence permit for education or work purposes.

64. In compliance with Art. 7 of Legislative Decree 24/2014, transposing Directive EU/2011/36, DEO is the Authority responsible for guidance, coordination and monitoring of interventions against THB. Besides these tasks, **the above Legislative Decree officially recognizes DEO as the equivalent mechanism and national contact point** for the EU Anti-Trafficking Coordinator. By this Decree, the above two programmes have been incorporated in a more structured one to ensure victim's better integration.[74] This Decree entitles victims to the right to compensation, (1,500 euros, each), under the Annual Fund for Anti-Trafficking Measures, already existing and to be fed with the proceeds derived from the confiscation of assets following a conviction verdict. By Act 190/2014, 8 million euros are to be allocated for the above unified programme.[75]

[74] CEDAW/C/ITA/CO/6, para. 29, c.
[75] Ibidem.

65. The United Nations Special Rapporteur on trafficking in persons, especially women and children, visited Italy in September 2013. In her report, she highlighted Italy's commitment to combating THB, as evidenced by its legal framework on trafficking and its strong partnership with CSOs. On the basis of the expressed concerns, the Special Rapporteur made a number of recommendations, including with regard to a harmonized comprehensive NAP to combat trafficking, and increasing capacity-building for government officials. The Special Rapporteur also encouraged the Government to, inter alia, address gaps in the support programme, especially on funding.

66. Since 2014, for a more comprehensive national strategy, DEO, in cooperation with all relevant national authorities and all other relevant stakeholders – has been working on a specific NAP. By a coordinated and inclusive approach, this Plan is intended to enhance the governance of all national measures besides defining cooperation among national stakeholders. **This Plan — currently in the process of being adopted**[76] **— focuses on prevention, assistance and protection of victims, judicial cooperation, identification of potential victims, and adjustment to national legislation.** It will also provide for a national referral mechanism for trafficked persons, minimum protection standards, and standard operating procedures for the referral of victims to the proper service providers.[77]

67. In Italy, all forms of THB are prohibited[78] With the aim of harshening penalties, besides ensuring that all forms of trafficking are comprehensively punished, Legislative Decree 24/2014 amends Arts. 600 (Placing/holding a person in conditions of slavery or servitude) and 601 (Trafficking in persons). The Criminal Code specifically envisages prosecution in case of trafficking in children under 'child prostitution' (Art. 600-bis), 'child pornography' (Art. 600-ter) and 'possession of pornographic material' (Art. 600-quater). More specifically, this conduct is punished even if the crime is not committed by fraud, deceit, and threat or by promising or giving money. As for victims' protection, in accordance with the relevant European Directive, the above Legislative Decree also amended the Italian Code of Criminal Procedure in order to extend the existing protection — already envisaged for child victims or mentally-ill adult victims — to all adult victims being under particularly vulnerable conditions.[79] To further strengthen the protection system, the above Legislative Decree envisages the obligation to adequately inform victims of their rights, especially those unaccompanied minors being victims of trafficking; this also establishes that a further Decree will be adopted to define specific mechanisms as for the determination of their age and identification. Thus, trafficked children are provided with special assistance and care programmes, carried out by individualized age-appropriate-related services — supplied under national assistance projects co-funded by DEO, including dedicated shelters, specific counselling, medical and social support.

68. More generally, the victims or alleged victims of trafficking benefit from assistance and social protection projects promoted and co-funded by DEO.

---

[76] CEDAW/C/ITA/6, para.29, lett.b.

[77] CEDAW/C/ITA/CO/6, para.29, b.

[78] Act 228/2003 introduced THB under Article 601, CC..

[79] By Art.1, the following are considered vulnerable: children; unaccompanied minors; elderly; persons with disability; women, especially if pregnant, single parents with underage children, persons with mental disorders, and persons who suffered rape or other serious forms of physical, psychological, sexual or gender-based violence.

69. The dimensions and development of THB, as well as the high interests of transnational organized crime in managing it, have forced the Police to make strategic decisions and to re-organize its departmental and local offices. The Chief of the Police ordered the re-organization of the Aliens' Offices and *Squadre Mobili* since 2001, by establishing the "ad hoc prostitution and non-EU crime sections". The Immigration Offices were tasked with "all administrative Police practices and activities concerning entry, stay, refusal, repatriation, refugee status, citizenship and any other related issues". The Central Operational Service (acronym, SCO) has always played a very proactive role in professional training of State Police: SCO is engaged in promoting and organizing meetings and seminars within European projects, in cooperation with IOs and NGOs. Some specific seminars have been also organized for the "Special Units" of local investigative Police (*Squadre Mobili*).

70. Under the Italian Semester of EU Presidency-2014, the Central Directorate of the national Police, in cooperation with the Special Operations Group (ROS) and the Labour Department Command of the Carabinieri Corps, drafted a "Handbook on THB — Indicators for the Investigating Police" (April 2015), which is conceived to be a handy tool for investigators and for the Police trainings. SCO is also participating in a European project dedicated to trafficking in children, led by the University of Padua, which envisages multi-agency seminars, scheduled for September-October 2015.

71. With a view to promoting multi-agency cooperation, Police and NGOs are engaged in this specific sector. Following a 2010-MoU signed by DPS and the Anti-mafia National Directorate for "Guidelines for coordinating the fight against THB", a thorough analysis has been carried out with regard to trafficking-indicators, training, good practices, joint working groups-related activities. Very important investigative results have been achieved thanks to bilateral cooperation with the Romanian Police, under "ITA.RO." project. The Romanian Police was directly involved in some investigations to fight against Romanian crime organizations, such as exploitation of prostitution, child prostitution and other crimes. Successful operations were carried out thanks to the cooperation between the Police Forces of the countries involved in transnational crime phenomena, through Interpol and Europol channels.

72. Since 2012, the Ministry of Justice has been monitoring the proceedings concerning THB. DEO is currently working with ISTAT, to set up a national database.

73. The fight against THB also fell within the priorities of the above-mentioned Italian Presidency. In this respect, the Ministry of Foreign Affairs finances projects in several countries of transit and origin to raise awareness for both public opinion and potential victims. More generally, Italy is promoting dialogue with third countries, within the framework of initiatives, such as the Rabat Process. In line with the latter and the EU-Africa Dialogue on Migration and Mobility, the Italian Presidency of the EU has been promoting "The EU-Horn of Africa Migration Route Initiative"/EU-HoAMRI.[80]

74. As <u>for **data**</u>, while the percentage of Nigerians (women and young girls trafficked) remains stable (approx.40 per cent), decrease emerges for nationals from Eastern Europe (Romania, Moldova, Bulgaria and Albania) — though victims from

[80] CEDAW/C/ITA/CO/6, para. 29, c.

Africa (Nigeria, Egypt, Morocco, and Tunisia) are increasing (approx. 60 per cent). The other national groups are numerically quite limited. **Sexual exploitation is still the most common purpose (about 70 per cent).** However, persons trafficked for purposes other than that refer to various forms of exploitation, such as forced labour, begging, criminal activities. Over the past years, women have been mainly exploited in forced prostitution. However, an average of 20 per cent of women resulted to be victims — between 2012-2013 — of other forms of exploitation (forced labour, begging, criminal activities).[81]

75. As for the sex, trafficked men for forced labour purposes are exploited in: the agricultural sector in southern Italy; and in the textile industry, construction, and other sectors of the labour market, mainly in the North. They are from the Maghreb countries, China, India, Pakistan, and Eastern Europe. Their percentage has steadily increased since 2007.

76. Within General Programme on "Security and Protection of the Freedom (under Prevention and Fight against Organized and Non Organized Crime)", DEO participates in relevant projects: **"No Trafficking"** National Observatory on trafficking among refugees and asylum-seekers: training; and awareness-raising campaigns and tools; **"STOP FOR-BEG** — Against emerging forms of trafficking in Italy: exploited immigrants in the international phenomenon of forced begging, mainly targeting the trafficked Roma (whose final report was presented in February 2015, in Padua); **"Protection First"** — identification, prevention and assistance to minors exposed to trafficking and exploitation (enhancement of the capacities to detect the phenomenon, especially within foster care communities).

77. **Prostitution** *per se* is not criminalized but the act of procuring is a crime under Art.3 of Act 75/195.[82] Law thus prohibits pimping, brothels, and similar commercial enterprises. Plus, whoever commits THB shall be liable to imprisonment from 8 to 20 years. Penalty is harsher if the offence is perpetrated against minors. In this regard, within the last National Action Plan on the Actions and the Interventions for the Protection of Children's Rights, from the monitoring by the National Observatory on Childhood, it emerges as follows: according to last available ISTAT data (2012), complaints and reports on crimes of exploitation and pandering, including child prostitution-related, have been increasing (11.5 per cent). Child prostitution affects boys and girls, both Italians and foreigners — though mainly impacting on Romanians, Nigerians, Albanians and Moldavians; this is also connected to THB for sexual exploitation purposes; as for **child prostitution** by Italians, this mainly occurs in very economically disadvantaged families; and it is a phenomenon also reported within the Roma communities. However, boys and girls also prostitute themselves — though occasionally — for purchasing goods of value.

78. Along the above lines, the Parliamentary Bicameral Commission on Childhood carried out an enquiry in 2012, drawing similar conclusions about the difficulty to detect the phenomenon due to strong mobility and the fact that Italy is mainly a country of transit.

[81] According to an ILO study-2012, 800,000 persons in the EU are victims of forced labour and THB (1.8 in 1000 inhabitants).

[82] By the ongoing relevant parliamentary debate, the following Bills are under examination: C.2788; C.2503; S.1370; S.1379; C.2153; S.1351; S.1201.

79. To counter this phenomenon, Italy has launched various measures, such as: the S.In.Ba System to collect data and information on ill-treatment and sexual abuse; various awareness-raising campaigns; specific codes of conduct (tourism-related); and the definition of relevant health-related measures in accordance with DPCM, dated 29 November 2001.[83]

Part II

Articles 7, 8[84]

80. By Act 215/2012, establishing "Provisions to promote gender balance in local governments and regional councils. Provisions on equal opportunities in the composition of selection boards for competitions in the public administrations", municipal statutes shall include provisions to ensure equal opportunities between women and men within councils and non-elective collective bodies of municipalities and provinces, as well as of agencies, businesses and institutions depending from them.

81. At the electoral level, for Municipalities with less than 5,000 inhabitants, to be valid, candidates' lists must include both sexes. For the Municipalities between 5,000-15,000 inhabitants, in addition to the above quota — by which none of the two sexes can exceed of 2/3 the other one — the gender preference has been added.[85]

82. As for the selection boards to positions in Public Administration, at least 1/3 is reserved to women. The same purpose is under Act 65/2014 on the election to the EU Parliament: from 2019, women must represent 50 per cent of the candidates' list. Plus, the first two candidates of each list have to be of different sexes. In the event of two or more preferences by the voter, they are valid only if reflecting the gender balance principle. This principle is also contained under Art. 1 of Bill A.C.2613, aimed at overcoming the Parliamentary Perfect Bicameralism. Once approved, it will amend Art. 55 of the Constitution, which will envisage gender balance in the representation to the Parliament. Moreover, jointly with ANCI, DEO has launched a specific campaign, to request political candidates to commit themselves to gender balance when forming regional and local councils; and various political parties are committed to this end, so that the number of women in politics has significantly risen.

83. Following **last domestic general parliamentary elections,** 31 per cent of the Parliament's members are women — besides being the youngest Parliament ever. At the last EU Parliament elections-2014, the increase in women amounts to 39.7 per cent (compared to the initial 19.3 per cent when women were 18).[86] Furthermore, the initial political Declaration made by Mr. Renzi, at his inception, focused, inter alia, on gender equality and political participation.

---

[83] CEDAW/C/ITA/CO/6, para. 31, b.

[84] Articles 7 and 8 have been clustered to stress, inter alia, the increasing commitment to women's participation and representation.

[85] Two candidates can be indicated but they have to be of different sex, otherwise the second choice will not be valid.

[86] In the previous round, they were 15.

84. Women's under-representation is mainly a cultural problem. Therefore, multi-annual training projects, entitled "Women, politics and Institutions — educational processes for a gender and equal opportunities culture", have been developed with a view to disseminating a gender-sensitive culture and allowing women, of every age, workers or not, to approach politics and promote their success and their participation in the national political and social life. Within **We-Women for Expo 2015** — an initiative launched by EXPO Milano 2015, in collaboration with the Ministry of Foreign Affairs and the Mondadori Foundation,[87] several actions aim at strengthening women's participation as driving forces for the future of the planet.[88]

85. In terms of women's participation in diplomacy, as at 31 December 2014, 17 women out of 215 (on a total of 932 diplomats) were at the level of either Ambassador or Minister Plenipotentiary. Within Penitentiary Police, more than half of the personnel are women (3369 out of 6067), with 114 female Directors of Penitentiary Institutes (out of 197 Institutes). Additional data are reported in the revised NAP1325, 2014-2016.[89] More specifically, as for women in top positions (2013): Women *Prefets* were 38 per cent; Executive physicians of complex facilities, 14.7 per cent; High-ranking magistrates, 2.6 per cent; First grade Executives of Ministries, 323 per cent; School principals, 61.6 per cent; Armed forces high-ranking officers, 11.7 per cent. **In 2014, women represent 41.9** per cent **of the employed; and 24.5** per cent **were among top management, legislators and senior officials (ISTAT data annexed — Table 4.12).** Specifically, positive trends refer to women *prefects* and school principals ("Miscellaneous").

86. In translating relevant international obligations and commitments,[90] **on 27 February 2014, Italy adopted the revised National Action Plan, in accordance with UNSCR 1325(2000), 2014-2016,** which is biannual in view of the 2015 major events. The MFA set up a national inter-ministerial WG, led by CIDU as the NFP, and consisting of: the Ministry of Foreign Affairs and International Cooperation; the Ministry of Interior (DPS); the Ministry of Defence; DEO; the Ministry of Health (and the National Institute of Medicine and Prevention of Poverty-related Diseases, hereinafter INMP); the General Command of the *Carabinieri* Corps; *Guardia di Finanza*; the Ministry of Justice; ISTAT; and the National Council on Economics and Labour (hereinafter, CNEL). Relevant CSOs closely cooperate with National Authorities. Procedurally, following an initial inter-ministerial stock-taking exercise, relevant CSOs were involved in all steps: meaning for instance, that the three takes of the NAP under reference were shared, at the same time, with both Administrations and NGOs; and the contributions of the latter were included in the above Plan. Once finalized, it was immediately shared for comments, feedback and proposals from NGOs.

87. Taking note of existing NAPs, especially at the EU level, the revised NAP focuses on: technical cooperation projects undertaken by the Italian Development Cooperation in key geographic areas, such as Iraq, Afghanistan and Lebanon; women's participation, and newly-introduced standards. From a substantial law

[87] Various are also the initiatives undertaken by CSOs: the relevant political school organized by Sturzo Institute; and the new course on Women, Peace and Security, including the e-course by VIS.

[88] http://www.2015.org/it/progetti/we-women-for-expo.

[89] The limited presence of women in the Armed Forces is due to the late women's access to this sector.

[90] In line with CEDAW GR30.

standpoint, its scope has been broadened in order to better reflect the growing "inter-relatedness of human rights", both internationally and domestically. Along these lines, relevant *commitments* have been confirmed and/or enhanced ("Miscellaneous"). **The aim is to support existing and/or to-be-launched initiatives with an inclusive, transparent, integrated and participatory approach,** besides involving, for instance, the UNHCR with regard to the situation of women asylum-seekers and refugees in Italy.[91] This NAP was also submitted to the Parliament; and, on November 25, 2014, CIDU organized an international Round-Table to present inter alia relevant Italian best practices, besides finalising with the same approach, a progress report (www.cidu.esteri.it).

Article 9[92]

88. In Italy, men and women enjoy full equality of rights, including all issues considered by this Article, which, for the purposes of understanding the expression nationality, is understood as **citizenship**. As at 2014, approx. 4.9 million foreigners lived in Italy. As for the entry of Non-EU citizens in 2013, data indicate that women's majority arrives for marriage or family reunification. According to data on applications for citizenship for marriage (Art.5 Act 91/1992) or residence purposes (Art. 9 L. 91/1992), most women under the age of 40 apply for marriage purpose. Since 2006, the **residence permit** in Italy has been issued as a smart card.[93] Against permit refusal, an appeal with the administrative judicial Authority can be always lodged.

89. Following a recent ISTAT survey, **foreign population**[94] shows satisfaction for its own life: 7.7 points (scale from 0 to 10); 60.8 per cent of foreigners have even a higher degree of satisfaction: 32.8 per cent says 8, 132 per cent says 9, and 148 per cent indicate 10 points. However, 895 per cent of foreigners (age of 15 and over) experienced discrimination at work-place because of their foreign origin.[95] Discriminations happen more frequently in the work context. 19.2 per cent says that the treatment they suffered was worse than Italians' when working or looking for a job: 169 per cent at work; 93 per cent looking for a job. 126 per cent declares to be discriminated when at school. More discriminated are women (142 per cent) and girls aged 14-19 (174 per cent). In this context, discrimination happens more frequently by peer group at school (784 per cent).[96] About 105 per cent of foreigners was discriminated while looking for a house where to live, especially men (13.2 per cent); 8.1 per cent of foreigners when they go to public places as bar, offices, public transportation; 6.2 per cent from neighbours. Only very few foreigners want to leave Italy because of suffered discrimination (3.7 per cent). As mentioned earlier, several initiatives have been adopted. Plus, discrimination at workplace is also widespread between Italians, especially women — though with less emphasis: 2,222,000

[91] CEDAW/C/ITA/CO/6, para. 55.

[92] CEDAW GR32.

[93] First and renewal applications are to be submitted through the Post Office.

[94] CEDAW/C/ITA/CO/6, paras. 52, 53.

[95] Other causes are: how they speak Italian (22.9 per cent), skin's color (14.6 per cent), to be man/woman (107 per cent), to be too young (72 per cent), religion (63 per cent), physical characteristic, for their foreigner's origin. Foreign people (315 per cent men and 27.1 per cent women) and adult people from 25 to 44 years (328 per cent) feel to be more discriminated.

[96] CEDAW/C/ITA/CO/6, para. 53.

women (13.5 per cent of women searching for a job) were discriminated against when looking for a job. For men, the ratio is 10.3 per cent. This also applies to working women: 12.4 per cent of women are discriminated against at work-place versus 10.4 per cent of men; and women declare more often to be discriminated against, on the ground of sex (ISTAT data annexed).

90. **Roma amount to approx. 160,000 people. Their heterogeneous *status civitatis*** requires a focus, especially on those who flew from the Balkans conflicts and fall within the category of the de facto stateless people. Such heterogeneity does not allow any longer the treatment within the wider framework of immigration-related policies.[97] Since January 2013, a national Working Group on Roma Legal Status has been set up and works on Roma and Sinti without any ID cards and who cannot be connected any longer to their country of origin. This works with an interdisciplinary, inclusive and inter-ministerial approach, besides involving Roma women representatives as required by the gender perspective criterion envisaged in the National Strategy.[98] In light of this, mention has to be made of: Law Decree 69/2013 converted into Act 98/2013, aimed at simplifying citizenship acquisition for those who have come of age and cannot prove their constant stay in the Italian territory for the past 18 years, due to administrative deficiencies not directly caused by them but by their parents' and/or birth register personnel. In 2013, a +54 per cent of the applications has been granted (101,712), submitted mainly in Northern Italy (72.2 per cent), if compared with Southern Italy and the islands (34.2 per cent and 27.2 per cent, respectively). Last December 2014, the Council of Minister approved a Bill to ratify the 1961 United Nations Convention on Reduction of Statelessness, currently before the Parliament.

91. **As for women asylum-seekers and refugees,**[99] 10 per cent of relevant Protection-System projects target women, including single mothers, victims of torture or trafficking (who are mainly from Nigeria), and pregnant women. Both the SPRAR Guidelines and Manual are available.[100] From the latest SPRAR report-2014, the main nationalities of those landed by sea, with larger presence of women, are from: Egypt (35.6 per cent), Eritrea (26.4 per cent), Somalia (26.3 per cent), and Nigeria (23.9 per cent). According to the National Commission on the Right to Asylum, between August 2013 and September 2014, 5,205 women applied for protection (=8.8 per cent of the applicants for international protection).

92. The revised NAP1325 involves UNHCR with regard to women asylum-seekers and refugees in Italy[101] — especially their health-care needs in line with UNSCR1983. The Ministry of Health set up a TF, involving Regions, Ministry of Interior, INMP, CSOs and UNHCR, to draft "Guidelines for asylum-seekers and refugees victims of torture, rape and other forms of violence, including training for health-care personnel and specific pathways for women and children" pursuant to Legislative Decree 251/2007, later amended by Legislative Decree 18/2014.

---

[97] Plus, the Constitutional Court stressed: the equality between Italian citizens and Non Italian citizens in the enjoyment of basic human rights, by also including the access to basic social services (Verdict 187/10); and that the solely criterion of citizenship cannot be reasonable in itself. In fact, when the Public Administration detects a need, this cannot be limited to the minimum stay duration criterion (Verdict 2/2013).

[98] CEDAW/C/ITA/CO/6, para. 53.

[99] CEDAW/C/ITA/CO/6, paras.54, 55.

[100] Ibidem.

[101] CEDAW/C/ITA/CO/6, para.49.

Part III

Article 10

93. In basic education, schooling rates for girls and boys are equivalent. In most secondary schools, girls actually do better than boys. Over the past decades, in fact, there has been a marked tendency of Italian women continuing their studies, especially at higher levels.[102] Over the years, the Italian Government has taken considerable measures,[103] to ensure effective equal opportunities in access to education and training for women and girls, such as: refreshing the school personnel on the issues of gender and equal opportunities, which has for several years been part of the National Plan of training courses for teachers; promoting the specific role that teachers play with regard to gender and equal opportunities; supporting innovative strategies in secondary and high schools to orientate a greater number of female students towards business, as well as scientific and technological subjects; providing lifelong learning for adult women, etc.. Italy has also promoted a project on a Code of Self-regulation for School-books Publishers to ensure equal representation in schoolbooks (www.impariscuola.it; www.scosse.org).

94. ISTAT-2014 data show the inverse proportion between higher level of education and unemployment: the increase in women unemployment rates observed between 2011-2014 was less pronounced in proportion to the higher degree acquired. In 2014, in fact, the unemployment rate of women with higher level of education increased by 2.6 per cent — compared to 2011 (9.2 per cent), while the increase of women with secondary or primary education is more substantial: +4.4 and +6.8 per cent, respectively (ISTAT Table 4.17 annexed).

95. More generally, **the Ministry of Education's relevant action has been built, also together with DEO, through various measures, including integrated actions and MoUs.** The perspective is to ensure gender mainstreaming by gender pedagogy and education to gender differences. The task of "integrating gender perspectives in all educational activities with a tangible growth in terms of equity and efficiency" is recognized in the school system; and the training of teachers is central to achieve a "gender-sensitive teaching", as envisaged by Act 119/2013. Furthermore, the Extraordinary Action Plan against Sexual and Gender-based Violence aims, inter alia, at "promoting the appropriate training of school personnel against gender-based violence and discrimination". The Decree establishes as Objective No. 1 the increase in skills related to: education to inter-relations, respect for diversity and gender equality; and the elimination of gender stereotypes. A concrete action on curricula of the primary and secondary schools, through pilot actions, has currently being carried out.

96. As for the promotion of gender equality also in academia and research Institutions, worthy of mention is: "STAGES — Structural Transformation to Achieve Gender Equality in Science" for the implementation of action plans within academia and research institutions to advance women's careers in science. Similarly important is: "TRIGGER (2013)"; "PRActising Gender Equality in Science-

[102] Ministry of Education's data show that, during 2013/2014, foreign children were 802.785, of whom 385.349 female students. As for Roma, while considering the limits relating to privacy protection legislation and the lack of self-reporting, students were 11.657.

[103] CEDAW/C/ITA/CO/6, para.37, b; See also information under Arts.1,2, 3 and 5.

PRA.G.E.S.Project", to collect best practices on programmes for the advancement of women's careers in science; and "WHIST (Women careerS Hitting the Target)", aimed at testing PRAGES results in the five partner institutions. Additionally, a specific MoU was signed by DEO and Ministry of Education in 2010, to promote equal opportunities in science, including the establishment of a Consultation Panel, with experts from public administrations, Universities and CSOs, aimed at elaborating concrete measures to achieve gender equality in science, fighting under-representation, improving women's presence in the labour market, in particular in decision-making.

97. Within the 2012 EIF Programme, **the project "Autonomy and integration for young foreign women"** was launched to support unaccompanied minors aged 16-17, and young women under the age of 24 at risk of social exclusion (approx. 380 girls). From within ESF, resources are allocated to facilitate access to labour market. The Ministry of Education started implementing "Emergency Lampedusa" project for all children under the age of 18, on the Island.

98. As for **Roma and Sinti school dropping-out,**[104] the National WG on Education, within the relevant National Strategy, has been gathering since February 2013, and its subsidiary WG launched a pilot-project, for both students and teachers on: Roma History/Porrajmos; non-discrimination; and human rights. Within this framework,[105] a website on Porrajmos mainly for the school system has been launched.[106] Further, DEO-UNAR translated CoE Factsheets on Roma History for dissemination in schools. Specific attention is paid to anti-gypsyism (MIUR's DG for the school staff Decree 603 of July 2014). In 2014, an initial report on the situation of human rights of Roma women was also published.[107]

99. Moreover, the Ministry of Education has re-doubled its efforts to fight against school dropping-out of both Roma and non-Roma, with a 50 million euros allocation from ESF. Similarly important is the Plan of Action and territorial cohesion, under which a specific measure, "F3 Action" aims at fighting against school dropping-out in southern Italy.

100. Following a public notice, networks involving schools, private and public sectors, as well as third sector have been established; and the Ministry of Labour, in collaboration with the Ministry of Education, carries out projects in accordance with **Act 285/1997,** the work-streams of which are: family involvement; and school reception. The aim is to facilitate access to local social services for the whole Roma family. This broad project took place, in the biennium 2012-2014, at: Catania, Palermo, Reggio Calabria, Cagliari, Napoli, Bari, Roma, Firenze, Bologna, Venezia, Milano, Genova, and Torino, besides involving 23 schools, for a total of 42 classes and over 900 students, of whom 156 RSC students.

Articles 11, 13

101. Relevant labour-related measures aim at: decreasing the unemployed rate; combating horizontal and vertical segregation; removing barriers preventing women

[104] CEDAW/C/ITA/CO/6, para. 35, a, b.
[105] CEDAW/C/ITA/CO/6, para. 53, b, c.
[106] http://www.romsintimemory.it/storia-e-memoria/la-memoria-negata-norimberga.html.
[107] http://www.istisss.it/wp-content/uploads/Donne-Rom-AAVV_IMPAGINATO.pdf.

from entering and/or re-entering the labour market; fighting all forms of discrimination; and improving reconciliation policies. However, opportunities must be enhanced, especially when considering both structural problems and the economic crisis, impacting on women, especially those living in southern Italy.

102. From a legislative standpoint, Act 92/2012 (Art.4, paras.16-23) aims to combat **blank resignations:**[108] the resignation letter is the first step of the exit path from work since the resolution becomes effective only after a specific procedure. In particular, after receiving the resignation, the employer must invite the employee in writing, within 30 days, to formally confirm his/her intention to leave the job. Within seven days, the worker has several options to validate his/her resignation, either by involving the local job centre or those entities identified by the Collective Bargaining, and indicated by the most representative national trade unions. For parent workers with children up to the age of 3, the law confirms the special procedure of validation, which shall take place upon inspection by the ad hoc service of the Ministry of Labour or by the employment centres. In this regard, the period for this specific procedure has been extended from 1 to 3 years of the child. With regard to sanctions, the law provides for a fine between 5,000-30,000 euros — which does not preclude the legal action ("Miscellaneous").

103. Furthermore, the above Act introduces specific provisions to promote women's access and retention in the labour market, especially in those sectors characterized by their limited participation, particularly in the South. The law provides for reductions in social security contributions for employers who, starting from 1 January 2013, hire women of any age who have not had a regularly paid job for at least six months and live in one of the Regions eligible for funding from the EU Structural Funds, or in different areas identified in Commission Regulation (EC) 800/2008 (the so-called disadvantaged workers), and for those employers who hire women of any age who have not had a regularly paid job for at least twenty-four months and live in any regions of the country. Women can be hired with both a fixed-term contract and a staff-leasing contract. By this Act (Art. 4, paras. 24-26), Italy has introduced the mandatory paternity leave besides testing the monthly vouchers to buy baby-sitting-related services, to be used at the end of the mandatory maternity leave and as an alternative to the parental leave. As for the latter, by Law-Decree dated October 28, 2014 (Official Bulletin 287), the vouchers-provision has been extended to women employed in Public Administration; and the amount has been risen to 600 euros, per month — the annual plafond amounts to 20 million euros for the biennium, 2014-2015; Legislative Decree 80/2015, implementing Art. 1 paras. 8-9, of Act 183/2014, envisages, inter alia, specific leaves for women victims of violence besides extending the parental leave for workers with children up to the age of 12 ("Miscellaneous").

104. Art. 1, para. 9, (h), of Act 183/2014 with regard to leaves for women victims of violence, has been enhanced and enacted by Legislative Decree 80/2015, the Art. 1, para. 9, (i) of which also envisages the rationalisation of gender equality-related bodies within the labour sector, as well as of those procedures relating to the Ministry of Labour-launched positive actions.[109]

[108] CEDAW/C/ITA/CO/6, para. 39.

[109] http://pariopportunita.gov.it/index.php/primo-piano/2670-jobs-act-piu-diritti-per-le-lavoratrici-e-i-lavoratori.

105. Act 228/2012 has introduced parental leave, on an hourly basis, by demanding the National Bargaining to finalize relevant rules. Legislative Decree 80/2015 envisages a five-month maternity allowance for mothers of new baby-born, who work under INPS separate position "*Gestione Separata*". Similar allowances will cover also free-lance men workers — though under given circumstances. As for **tele-working and family-care,** the above Decree envisages that employers opting for this formula will get specific benefits (Art. 1, para. 9, (d) of Act 183/14, "Jobs Act").

106. **To reconcile work and family,** the last State Budget Law allocates resources for 2016-2018, on an experimental basis (Art. 25 of Legislative Decree 80/2015). This also envisages other measures, including specific Guidelines for National Bargaining. Finally, mention has to be made of the so-called "*Bonus Bebé*" amounting to a monthly 80-Euro allocation by INPS, in case of new baby-born and those ones adopted, between 1 January 2015 and 31 December 2017, by families whose annual income does not exceed 25,000 euros. Such a Bonus increases to 160 euros for those families with a lower income — but not exceeding 7,000 euros, per year.[110]

107. As for relevant **policy measures, the Department for Family Policies is in charge of the implementation of positive actions at the workplace pursuant to Art.9 of Act 53/2000 on Reconciliation.** Starting from 2010, within the framework of the "Italia 2020" Plan and by coordination between State and Regions, DEO has been promoting the 2010 "Agreement on reconciliation between private life and work", among the Government, Regions, Autonomous Provinces and Local Authorities. This allowed the implementation, at the regional level, of initiatives for working women and men, which, at the same time, take care of children or adults in difficult situations. The experience gained with the implementation of the first Agreement, the allocation of which amounted to 40 million euros, has been the basis for the second Agreement with Regions, signed in 2012. Its strategic aim is to promote female employment, with a 15-million-Euro budget. The second Agreement aims at: Improvement of reconciliation services for women and men; Promotion of job contracts meeting the reconciliation needs; Creation of new and qualified job opportunities in the sectors of personal care and family and community services; Promotion of parental leave for fathers.

108. To promote reconciliation and women's labour participation, "Italia Lavoro spa" carried out **"*LaFem.Me*"** project to provide training and counselling on: family support; support for businesses introducing relevant services; role models; and a specific focus on energy sector and renewable energy. The initiative is part of the 2014 European Year for Reconciliation.

109. The Department for Family Policies also introduced the so-called "Family Audit". Over the past years, Italy has attempted to achieve the 33 per cent objective of children in formal childcare by 2010 (Lisbon Strategy), by supporting both private and public childcare services — although 12.7 per cent has been achieved so far. Therefore, the need to develop and put in place new and innovative strategies remains.

[110] www.governo.it/GovernoInforma/Dossier/bonus_bebe/.

110. As **for temporary special measures,**[111] Act 120/2011, Act 215/2012, DPR 251/2012 should be recalled. Furthermore, mention has to be made of the Gender Equality National Committee that indicates, on a yearly basis, the priority positive actions to be adopted and contained in "The Programme-Objective" pursuant to Legislative Decree 198/2006. To eliminate occupational segregation and all forms of job-related discrimination, mention has to be made, inter alia, of: Law-Decree 5/2010, updating the Code on Equal Opportunities, by strengthening the anti-discrimination principle and extending, at all levels, the concept of equality; and Act 183/2010 (Art.21), which deals with gender equality and the well-being of those who work within the Public Administration.

111. As for "**data and assessment,**"[112] between 2011-2014, the employed women rate has increased from 9,258,000 to 9,334,000.[113] Between 2011-2012, employed women have increased of more than 100,000 units (9, 372,000); between 2012-2013 they decreased. In 2013, 46.5 per cent of women were employed — 12.3 per cent less than the EU28 average; and in 2014 they increased again (ISTAT[114] data annexed). In the first semester of 2014, 14,000 women were hired. Thus, the participation of women in the labour market has increased in the very recent years: in 2014, the female activity rate raised to 54.4 per cent, paralleled with an increase in the women's unemployment rate (2011-2014), raised from: 977,000 to 1,494,000; and strong difficulties in finding a job, especially for the younger women aged 15-24, whose unemployment rate amounts to 44.7 per cent.

112. The employment rate of **older women**, aged 55-64, has increased (2011-2014), from 28.1 per cent to 36.6 per cent. This is due to pension reforms, making more stringent requirements for access to pension. In 2013, it was 33.2 per cent and remained lower than EU28 average. The unemployment rate of older women is low (4.4 per cent) but it has increased from 2011 when it was 2.7 per cent; plus, about 60 per cent of older women are inactive.

113. Labour market participation is particularly low in southern Italy (***Mezzogiorno***): in 2014, the female activity rate equalled to 39.6 per cent; and the employment rate was 30.3 per cent. Gender differences in employment are particularly high for women, aged 35-54.[115]

114. As for female employment **by professional status and occupation,** women are more present among employees than among self-employed persons. Women are overrepresented in the group of white collars (44.3 per cent of women versus 23.4 per cent of men) but they are strongly underrepresented among executives (1.2 per cent versus 2.2 per cent among men). Among the self-employed, women are underrepresented among the entrepreneurs, while they are above average among free-lancers (with fixed-term contract); and work in the "service-economic sector" much more than men. Women remain in the typically "female" activity sectors: 71.9 per cent in the "Education, health and social work" sector; and 69.3 per cent in the "Other personal and public services" sector — in which mainly men-work

[111] CEDAW/C/ITA/CO/6, para. 37, a.
[112] CEDAW/C/ITA/CO/6, para. 37, c, d.
[113] CNEL talks about the feminization of the labour market.
[114] CEDAW/C/ITA/CO/6, paras. 37, c, d, e, para. 41.
[115] One trade union also stresses the need to focus on young women in the South and their — limited, especially if compared to young men — access to the labour market.

include: Industry (where women are 20.9 per cent) and "Transport and storage" sector (where women are 20.5 per cent).

115. Even in sectors where female presence is higher than average, the difficulty to achieve top positions is common. Part-time employees are more numerous among women. Since 2008, the number of part-time employed women exceeded 2 million; in 2014 never stops growing and reached 2,520,000, mainly concentrated in the North. Provided that in the temporary employment, gender differences are less pronounced, part-time employed women rate rose, between 2011-2014, from 29.8 per cent to 33.1 per cent. Part-time jobs in various forms have contributed to increasing labour opportunities, helping women reconcile work and family. However, it also reflects negatively on women's work conditions, qualifications, and career's advancement.

116. The **female activity rate** is strongly linked to family workload. For people, aged 25-54, the activity rate of women living alone is close to men's (86.2 per cent versus 88.6 per cent), while the indicator decreases for women living in couples and even further, for mothers (60.2 per cent versus 93.3 per cent of fathers living in couples — Table 4.18). Consequently, the unemployment rate for women with family responsibility is higher (11.1 per cent), in couple with (+3.8 per cent from 2011) or without children (+3.4 per cent from 2011) than those who live alone (10.1 per cent =+4.4 per cent from 2011). Conversely, unemployment rate for men who live in couple without children is the lowest one, 7.7 per cent.

117. Approx. 10 million women, aged 18-74 (44.1 per cent), have exited the labour market mainly due to family care-related responsibilities (versus 19.9 per cent of men). In terms of perceptions, 677 per cent of people deems that "family care hinders women's career advancement to top positions". At the same time, people (851 per cent men and 898 per cent women) deem that a more equal sharing of the family-care burden could help. Nevertheless, in time of crisis, half of the interviewed deem that entrepreneurs should give priority to men workforce (ISTAT Tab. 4 — Discr, annexed).

118. Part-time jobs are supported to help mothers reconciling work and family. However, companies have resorted to them also to fight against the economic crisis.[116]

119. In 2014, **foreign women**[117] show a higher employment rate than nationals (50.2 per cent and 46.4 per cent). They also present a much higher activity rate than Italian women but foreign women show more difficulties in finding a job, with an unemployment rate of 17.8 per cent (versus 13.4 per cent of Italians).

120. Thus, **foreign women** present a higher employment rate than nationals. However, non-national women employment rate is less linked with education than for Italian women: employment rate of foreign women with lower education level is twice over the national rate (35.1 against 13.3 per cent) while is about 10 per cent less for women with higher education (Tertiary): 61.7 versus 72.1 (ISTAT Table 4.24 annexed). As for gender, foreign women employment rate is lower than foreign men's for every educational level. More broadly, in 2014, national women and

[116] One trade union stresses that part-time should be also considered as a manifestation of job precariousness, besides impacting, in the long run, on retirement gap — resulting in one of the highest ones in Europe.

[117] CEDAW/C/ITA/CO/6, paras.52-53.

foreign women have different occupations: while nationals are generally occupied as professionals, technicians, clerks, service and sales workers (about 80 per cent), 42.5 per cent of the employed foreign women have an elementary occupation. Only 0.3 per cent of foreign women work as legislators, senior officials or managers (ISTAT Table 4.25 annexed). Considering the role in the household, foreign women present a higher activity rate than nationals when they live in one-person household or lone-parent: 89.3 and 83.9 per cent versus 85.1 and 77.4 per cent, respectively. Conversely, being a partner in couple with or without children lowers the participation of foreign women in the labour market. About 33 per cent of foreign women who live in a couple without children do not participate in the labour market (versus 26.1 per cent of national women — 6.9 per cent more) and 48.3 per cent of foreign women who live in a couple with children is inactive (versus 38.7 per cent of national women — 9.6 per cent more) (ISTAT Table 4.29 annexed) — the economic crisis has impacted also on the unemployment rate of foreign women. In this context, trade unions emphasize the increasing number of Italian domestic care workers: an area, which in the past was mostly covered by women migrant workers.

121. More generally, aside from relevant EU Directives, the Unified Text on Immigration (Legislative Decree 268/1998) is at the core since it pays specific attention to the job dimension of foreigners, by stressing that, in accordance with ILO Convention 143, all migrant workers, regularly residing in Italy, enjoy equal treatment.

122. Various measures aim at countering informal labour while facilitating inclusion. Law-Decree 145/2013 strengthens the role of job inspectors and makes penalties a 30 per cent more severe in case of informal labour. Further, the Ministry of Labour is engaged in training personnel from countries of origin, to facilitate legal entry to Italy. To this end, since 2012 a Portal on migrants' integration has been launched and focuses on: Language; Job, including training; Job market; Job orientation; Job re-entry; Self-entrepreneurship; Housing; Minors and second generations; Health; and Cultural mediation.[118]

123. As for **Roma and Sinti women**,[119] under the "FSE Governance and Systemic Actions, Convergence Objective, Axis B, Employability", a specific Action is underway with regard to "the facilitation of positive models of vocational training, orientation and job inclusion". By replicating the Spanish ACCEDER project, this supports Roma women and youngsters' access to the job market: In July 2014, the public notice, "Diversity on the Job" was issued to involve about 150 Roma and Sinti girls and boys. Further, aside from projects under Act 285/1997 (Art.5 above), the Ministry of Labour has developed a number of projects aimed at the job integration for vulnerable groups of migrants — to be also extended to Roma people of a foreign origin — such as RE.LAR and ASSAP (Systemic actions for the development of integrated system of services for individuals), to improve their access to labour while combating informal work. Furthermore, a job-related Project, entrusted to "Italia Lavoro spa", aims, by granting loans, to the start-up of businesses or the establishment of working relationships for Roma, aged 17-30.

124. More generally, DEO-UNAR is committed to **Diversity Management in the SMEs.** The aim is to develop Diversity Management-related actions in Calabria, Campania, Apulia, and Sicily, by mainly involving anti-racism NGOs, SMEs, public

[118] www.integrazionemigranti.it.

[119] CEDAW/C/ITA/CO/6, paras. 52-53.

Institutions, local Authorities and those companies that are run or envisage shares owned by the State. Among relevant activities, it is envisaged the detection of job positions in SMEs, besides emphasizing the added value that vulnerable groups, especially persons with disabilities and migrants can bring through empowerment-related activities, including ad hoc Career Days and communication campaigns — also in the school system.

125. The employment gap between women and men has thus decreased, owing to the increase in four factors: the employment rate of elderly women; retirement age in the public sector (following Act 214/2011); the use of involuntary part-time work; foreign women.

126. Another aspect is the persistence of **horizontal and vertical segregation:** Women's participation is mainly in the services sector while in sectors with strong male prevalence, such as IT, transportation, building and construction, women's percentage is still particularly low, and even in those sectors where the presence of women is higher than average, their access to top level positions is extremely difficult (vertical segregation).[120] However, the situation of women in not-for-profit organizations (acronym hereinafter, NPOs) is of a positive note and greatly contributes to the Italian economic system.

127. The female contribution to **NPOs** accounts for: 1,800,000 volunteers; 494,000 employees; 142,000 outworkers; 3,000 temporary workers; 9,000 seconded; 26,000 religious people; and 10,000 volunteers performing the National Civil Service. Hence, women are the main component of NPOs paid workers (in 1999, they were 60.7 per cent of paid workers; and in 2011 they reached 66.9 per cent). In comparison to 1999, female workers have grown more than males (+71.4 per cent versus +31 per cent). Women-led NPOs or those ones with a prevalence of women as managers are 5,500 (almost half of organizations managed by only men or with a prevalence of men as managers — 9,800), while 1.1 thousand are the NPOs with the same share of women and men as managers. By clustering NPOs with managers, 33 per cent of them is mainly led by women; 60 per cent is exclusively or mainly managed by men; and 7 per cent of them reflect gender balance. The Italian economic system is vertically and horizontally segregated, however gender inequality in the third sector is somewhat less than in private's. In the smaller NPOs, women represent a larger proportion of managers that usually employ more women than men. These organizations, where female workers prevail on men and are more likely to hold leading positions, mainly focus on: Social services, Health and Education. Despite glass ceiling in advancing career and horizontal segregation, women result to work more steadily in the NPOs sector, through contracts guaranteeing them long-term and stable jobs.

128. As for the types of contract in NPOs, women workers are more likely to be employed under permanent/stable contracts (representing 72.7 per cent of the employees versus 27.5 per cent of men). By focusing on employees, 72.7 per cent of women are employed through a long-term contract while in the public and private sectors, the number of women hired with the same form of contract declines to 55.6 per cent and 38.6 per cent, respectively. In NPOs, women are more likely to have a more stable form of contract rather than in other economic sectors: 3 women per 1 man have a permanent contract in the Third sector. Notwithstanding the

[120] CEDAW/C/ITA/CO/6, para. 37, b.

existing regulatory provisions against discrimination on the grounds of sex at the workplace, women continue to be paid less than men for equal work of equal value. According to the ISTAT-report-2013, gender pay gap equals to 11.5 per cent. The average hour wage of women is 11.5 per cent lower than men's. As shown in ISTAT Table on gender pay gap, Italy has a very low GPG, varying from 4.4 in 2006 to 5.5 in 2009 ("Miscellaneous").

129. Act 92/2012 on "Provisions on the reform of the labour market" focuses on the need to promote equal pay by a monitoring system to verify the effects of the application of said reform through databases providing knowledge on the trend of female employment. From the outcome of the monitoring, useful elements will be gathered for the implementation, if any — where necessary — of measures so introduced. In this regard, **the Office of the National Equality Councillor** has promoted many initiatives on professional training for women: a) training sessions for unemployed women (750 participants) in some areas of North, Centre and South of Italy; b) training sessions for students of technical institutes to promote work and equal opportunities (4,130 students); c) radio and television campaign "*Sicuramente noi*", on women's health and safety at the workplace; d) Training of trainers — Internal initiatives on gender equality (180 officials), and similar activities for regional and provincial equality offices.

130. To raise awareness among women about **gender pay gap**, a brief guide, entitled "Equal pay for men and women: how and why" has been elaborated.

131. In order **to promote female entrepreneurship**, DEO established in 2013 a Special Section of the Central Guarantee Fund for SMEs following the agreement — signed on 14 March 2013 – among the Presidency of the Council of Ministers — DEO, the Ministry of Economic Development and the Ministry of Economy. This Section has been operational since January 2014. It aims to promote women's entrepreneurship by facilitating access to credit for women-owned businesses. The initial 10-million-Euro budget of the Section, financed by DEO, was increased by further 20 million euros, by Law-Decree 145/2013, converted with amendments into Act 9/2014 (the so-called "*Destination-Italy Plan*"). Therefore, it currently amounts to 30 million euros, 50 per cent of which is destined to female business start-up. The endowment of the Section allows benefits granting as: direct guarantee, co-guarantee; and countersecurity. It covers financial transactions for businesses with a majority female ownership. In December 2014, DEO, the Ministry of Economic Development and the Ministry of Economy signed the additional Act to extend this benefit to self-employed women. Also an MoU among DEO, the Ministry of Economic Development, Italian Banking Association (ABI), Confindustria, Confapi, Enterprise Network Italy and Alliance of Italian Cooperatives provides for an intervention plan, aimed at facilitating access to credit by women-led SMEs — as defined by Act 215/1992, on women entrepreneurship and EU legislation — and for self-employed women, including freelancers. It introduces a specific *plafond* dedicated to initiatives for female enterprises and self-employed women. In particular it aims at: supporting women-led start-ups; new investments; helping women when encountering difficulties during business.

132. To enhance **women's economic capacity and commercial networks**, Italy has adopted incentives for women entrepreneurs, with the provision of financing women entrepreneurs and services. The Ministry of Labour approved for 2013 the "Programme aimed to increase women's employment and qualification, through the

integration and reintegration into the labour market, development and consolidation of women-owned businesses." In 2012, it also established the "Coordination Forum to support internationalisation of women-owned companies, with regard to SMEs". In order to further strengthen women's role, the MoU between Ministry of Economic Development, DEO, and the Italian Union of Chambers of Commerce was renewed in February 2013, to redefine the "mission" of the 105 Female Entrepreneurship Committees (CIF) established at every Chamber, so as to enhance women inter alia, in the entrepreneurship world. Finally, the Ministry of Labour has also supported the campaign, "Restart from you! Beautiful business to be a woman", aimed at promoting micro-credit-woman-project.

133. As for **work in prison**, as at June 2014, 831 women were working so that experiences such as in Bollate, Giudecca, Lecce, Rebibbia, Vercelli, Monza, and San Vittore Prisons can be considered as a best practice. Following an MoU with the Ministry of Education, dated October 2012, education is further ensured. Plus, at the first entry to detention facilities, the Charter of Rights in 10 languages is distributed pursuant to DPR 136/2012. **Women migrant recent rate amounts to 873 foreigners vs. 1470 Italians (DAP data annexed).**

134. The **public Job Centres**, pursuant to Legislative Decree 181/2000, amended by Legislative Decree 197/2002, have been involved in strategies to more easily match job demand and offer — by giving increasing priority to the youth and women, to whom to propose within four months either training or suitable job posts. The latest available data show that in 2013, approx.1,800,000 women benefited from active policies measures; and in 2014, approx. 1 million women made the declaration of immediate availability to work, of whom 195,089 aged 25. On 1 May 2014, the Youth Guarantee Programme has been launched. At present, about 652,748 young people have joined the YGP, of whom 49.2 per cent women. Furthermore, the Ministry of Labour has elaborated, jointly with Regions (as the intermediate bodies of the Programme), several measures and pathways to tackle the youth unemployment: users who benefited from active policy measures were 130,795, of whom 50.7 per cent women ("Miscellaneous").

135. With reference to the **pension systems** for the public sector, Act 102/2009 has risen women's retirement age, also through a gradual mechanism, to allow equal pension treatment. Equal treatment and the prohibition of pay discrimination stand also for the supplementary and collective pension funds. Along these lines, Act 214/2011 aims to introduce the same retirement age for women and men, and, inter alia, sets up a Fund on Women and Youth Employment, to be fed with 740 million euros, for 2012-2015. However, according to recent INPS data, worked by CNEL, gender gap remains with regard to pension allowances.[121] On average, men get monthly retirement allowances of 1,547 euros vs. 1,081 euros for women. Under "Miscellaneous" (Table 2), in 2013 the number of pension holders was almost 16.4 million: a figure lower than in 2012 (-1.21 per cent). The number of pensions per capita was 1.4. Although the proportion of women pension holders was 52.9 per cent; and men received 558 per cent of pension income due to the higher average amount of their pensions (19,686 euros compared to an average of 13,921 euros for women). According to INPS annual report 2015, 3 in 4 women get pension below 500 euros, per month ("Miscellaneous"; and ISTAT data under Annex 2).

[121] A specific study on older women is ongoing (CEDAW/C/ITA/CO/6, para. 53, f).

136. As **for social services**, the decrease of financial resources available to central and local Authorities due to budgetary constraints related to the economic crisis has negatively impacted on the services available to citizens.[122] To counter the above situation, **measures such as "*Bonus Bebé*" have been adopted. In addition allowances for larger families — a provision extended to migrants regularly living in Italy — have been envisaged. More generally, as reported in 2011, for women on maternity leave, Art. 22 of Legislative Decree 151/2001** provides for the payment of a daily allowance equalling to 80 per cent of the pay for all the maternity leave duration. These periods are counted in all respects towards seniority in the career progression and for the achievement of pension requirements. Many contracts, including those decentralized — in order to avoid wage penalty for women workers on maternity leave — provide for the employer's integration of the allowance up to reaching 100 per cent of the daily wage.

137. According to ISTAT, as at 2013 some 43.5 per cent of women were recipient of earned income **(employee income or self-employment income) compared to 63.5** per cent **of men**. In Sicily and Sardinia, female recipients are lower: 31.5 per cent compared to 57.7 per cent of male recipients (A higher level of education significantly reduces the differences: 76.7 per cent of women versus 83.3 per cent of men). The percentage of women, who received income from work, slightly increased in 2012 and 2013 — but, whatever the characteristics considered, the gap between men and women has remained stable since 2008. In 2013, 43.9 per cent of females are beneficiaries of social transfers (pensions, unemployment benefits, education related allowances, family/children allowances) compared to 53.4 per cent of men. Since 2008, the percentage of pensions' beneficiaries decreased, especially in the age group immediately below 65 years, due to a gradual extension of the retirement age. Such decrease was greater for females; and, in 2013, the percentage of pensions' beneficiaries (old-age benefits, survivor' benefits, disability benefits) among females is similar to males' (31.4 per cent versus 31.5 per cent) while in 2008 was higher (33.2 per cent versus 31.6 per cent). In 2013, 15 per cent of females are beneficiaries of other social transfers compared to 28.4 per cent of males.

138. As for **poverty among women (ISTAT),** relative poverty incidence among households headed by a female was 10.2 per cent — more stable compared to 2011 (10.4 per cent); relative poverty intensity increased from 20.2 per cent in 2011 to 21.4 per cent in 2013. In 2013, compared to 2011, also absolute poverty increased among households with a woman as reference person: incidence from 6.1 per cent reached 7.5 per cent; intensity passes from 16.7 per cent to 17.6 per cent. Compared to males, single parent females (representing 83 per cent of all single parent households in relative poverty) met greater economic difficulties: in 2013, relative poverty was 16.1 per cent (13.9 per cent in 2011) against 13.6 per cent. Worse conditions are observed among female-headed single parent households with at least one minor child (incidence was 18.9 per cent and intensity 24.6 per cent), but even more if the children are young adults seeking employment: about 30.2 per cent of them was relatively poor (23.4 per cent in 2011), and about one fifth (18.7 per cent) was absolutely poor (8.3 per cent in 2011). Compared to 2011, in 2013 poverty

[122] In order to down-sizing the public debt, Italy was forced to reduce public spending and increasing tax revenue ("Stability Laws" 2012, 2013, and 2014). During the same period, in order not to exceed the EU's 3 per cent (deficit-to-GDP ratio), Italy has been implementing further measures to reduce and rationalize public spending (Act 94/2012, Act 135/2012).

incidence, both in relative and absolute terms, increased among households of women living with their children and with aggregate members: from 15.6 per cent to 19.3 per cent and from 6.3 per cent to 10.6 per cent, respectively.

139. Further, **the Ministry of Agriculture (acronym, Mipaaf)** is focussing on rural women's participation by supporting reconciliation measures and a more adequate reorganization of time and extra-work activities, such as language courses for women migrant workers — by means of the National Rural Network,[123] which received 2.3 billion euros. In this context, social care services mainly focus on: "kindergarten farms", overall in the South; prizes for the best services-network planned for the elderly and children; and support for reducing digital divide.

140. According to ISTAT, in 2012 **aid and social care facilities** amounted to 11,571, with 6.2 beds available in 1,000 persons. As in the past, the majority of this offer is located in the North. In this context, 354,777 persons are taken into care: almost 270,000 (76 per cent) are over 65; 69,000 (20 per cent) aged 18-64; almost 16,000 (4 per cent) aged less than 18. The elderly who are not self-autonomous are 205,000. Over half of them are over 85; and two thirds are women. The elderly live: mainly alone (580,000 or 43.5 per cent); in couples (25.6 per cent); or with their children (16.8 per cent). A quarter of them gets public care services at home. There are many who resort to private services too (18 per cent). However, **two thirds of the elderly** gets support from family members (up to 86.2 per cent among the elderly living alone). As at 2013, **people with "functional limitations" amounted to 3.2 million, of whom 2,500,000 older people with a higher rate of women (7.1** per cent **versus 3.8** per cent **of men) owing to the higher longevity rate of Italian women if compared to Italian men.**[124] With a gender perspective, ISTAT is currently carrying out a specific survey on "the use of time" by Italian families.

Article 12

141. Under the Italian semester of EU Presidency-2014, the Ministry of Health organized the European Conference, "Women Health: a life-course approach", to exchange views between EUMS28 on how to improve relevant policies and strategies; and the main topics were: life-style; sexual and reproductive health; women and cancer.

142. As for **mammography-screening programmes**,[125] they usually target women, aged 50-69. Some Regions have extended the invitation to women, aged 45-49, and 70-74, respectively. The coverage in 2013 reached 74 per cent of the entire eligible population. However, a discrepancy remains between Centre-North (close to 90 per cent) and the South (less than 50 per cent) of Italy — although the trend shows the positive increasing coverage in the South, compared to 2006 when coverage was 23 per cent. The "Plan for breast, cervical and colorectal cancer screening for 2007-

[123] CEDAW/C/ITA/CO/6, para. 53.
[124] Ibidem.
[125] CEDAW/C/ITA/CO/6, para. 43.

2009"[126] set methods and principles to counter problems including funding, especially in the southern Italy.[127]

143. Italy adopted a national strategy: **"Gaining health: making healthy choices easy"**, which promotes a crosscutting approach, to make healthy life-styles and healthy life environments easier. Last May 2015, the Ministry of Health launched **the National Fertility Plan**, involving all key stakeholders, including schools, municipalities, and academia, to counter the significant reduction of childbirth and raise awareness on reproductive health. In this context, schools are the privileged interlocutor to raise awareness among the youngsters, about both risk factors and protection of fertility. To this end, an MoU was signed with MIUR, on 2 April 2015.

144. According to ISTAT, in recent years, **the overall mortality rate** keeps decreasing for both men and women: from 2008 through 2012, a decrease of 6 per cent and 5 per cent respectively has been observed; and the deaths' toll rises due to the population ageing is more marked among women. In 2012, the mortality rate is 754 per 100,000 females, and 1,166 per 100,000 males, with a female/male mortality ratio of 0.65. Actually, this result is due to the lower mortality rates at all ages for Italian females.

145. The **abortion rate** has decreased over the years (-50 per cent from 1980 through 2012). Italy is thus one of the countries with the lowest abortion rate ever. The decrease is meaningful over the last three years: it was 7.9 in 1,000 women, aged 15-49, in 2012; 7.6 in 2013 (102,644 abortions). This concerns both young girls and young women — those who are most at risk; and the abortion rate has become stable for **foreign women**[128] since 2010. From the last report to the Parliament on Act 194, the waiting list for the access to relevant services is increasingly reduced; and "abortion is practiced at 64 per cent of the available facilities across the country, with a good coverage, save the two smallest Regions of Italy".

146. Legislative Decree 230/1999 entrusts the National Health Service with **health care for women in prisons**. The relevant Guidelines by DPCM 1.4.2008 result in a programme of work under which gender sensitive services have been implemented. Social distress is usually coupled with addictions and physiological disorder. In this context, DAP authorizes specific training and pathways for women and girls detainees. **As at 30 June 2014, 450 women detainees, of whom 85 migrants out of 2,551 women resulted to be drug-addicted.** In accordance with the Unified Text, 390/90 (Art. 96, para. 3), and DPCM 1.4.2008, relevant care and rehabilitation services are provided by Local Services on Addictions (acronym, SeRT). Following epidemiological studies, as for women in prison affected by HIV, the first channel of transmission refers to sexual activity rather than originating from drug use. According to a DAP study, covering triennium, 2005-2008, 5.56 per cent of women were affected by HIV versus 7.79 per cent of men.

[126] Extended up to 2013, by the 2010-2012 National Prevention Plan.

[127] To reorganize the care offer system, a Task Force is helping Regions, pursuant to Ministerial Decree dated 6 February 2013. Plus, worthy of mention are the Recovery Plans and the National Prevention Plan, 2014-2018, which focus, inter alia, on measures to ensure a correct lifestyle, including sport, in all contexts, primarily in schools — given the linkage between adequate lifestyle and cancer prevention.

[128] CEDAW/C/ITA/CO/6, paras. 52-53.

147. By Act 135/1990, the Ministry of Health launched, on a yearly basis, communication campaigns on behaviours exposing to **HIV-Aids**, targeting women, men, boys and girls, including migrants. Plus, an ad hoc website has been set up with practical information on: services, *ReTe Aids*, relevant CSOs, and PMA Centres providing information and support also for HIV-affected couples wishing a baby (@UniticontroAIDS).

148. The percentage of women infected increased in early 2000 but has decreased in recent years: the M/F ratio went from 3.5 (653 M/187 F) in 1985 to 2 in 2001 (945 M/481 F); this tendency later changed, and the M/F ratio increased again to 3.8 in 2012 (3,041 M/810 F). The National AIDS Commission (NAC) acts as focal point for HIV-related requests and needs, in liaison with the Council of Associations for the prevention of AIDS (CAA). From 2009 to date, documents and projects have been carried out, such as: "Italian Guidelines on the use of antiretroviral drugs and the diagnostic-clinical management of persons infected by HIV-1 (LG-HIV)"; the project: "Experimental social-health study to facilitate prevention, diagnosis and therapeutic continuity in the case of HIV/AIDS infection and co-infections in socially and economically disadvantaged groups", including groups at risk of poverty such as trafficked women, prostitutes, transsexuals and drug abusers.[129] The "Esther 2.0. women and children's health" project, started in 2013, involves all Italian Operative Units concerned and is extended to various sub-Sahara African countries.[130]

149. To fight against FGM, in addition to international campaigns, by **Act 7/2006**, there are numerous domestic projects financed by DEO and Ministry of Health:[131] as for the former, 4 million euros were allocated for local awareness-related projects. DEO also launched the national campaign, "*Nessuno Escluso*" for immigrant parents to make them aware of risks to which they expose their children. Following DEO-funded projects, in January 2011 the ad hoc Commission at DEO drafted the second Strategic Plan on the national priority actions, in accordance with Art. 2 of the above Act. In February 2011, this Plan was shared also with CSOs and local Authorities. Resources equalling to 3 million euros are to be used for the following areas of intervention: development of experimental and innovative intervention models for the implementation of a national strategy aimed at facilitating the social integration of women and children, victims or potential victims of FGM; specific training for professionals working in this field or in other related sectors aimed at facilitating the relations between Institutions and the African migrant population; promotion of awareness-raising activities. The contents of the Second Strategic Plan were included in an MoU signed by DEO and the Italian Regions, on 6 December 2012.

150. On www.salute.gov.it, under Women's Health, it is retrievable the database with all regional relevant services for women and girls. The Ministry of Health annually monitors the resources envisaged by Art. 4 of the above Act as allocated to Regions, upon criteria determined by the State-Regions Conference.[132] Furthermore,

[129] A number of specificities continue to prevent a real analysis of the phenomenon; obstruct the definition of specific programmes for the prevention, diagnosis and treatment of HIV/AIDS infection; and often do not allow the necessary therapeutic continuity.

[130] CEDAW/C/ITA/CO/6, para. 45, a.

[131] The latter reports that, between 2006-2013, approx. 750 women migrants, already victims of FGM, arrived in Italy.

[132] CEDAW/C/ITA/CO/6, para. 53, e.

INMP has launched specific training, role models, and assessment-related projects, by involving, among others, various hospitals, across the country.

151. The Health-Care Service follows a universalistic approach. In line with Art. 32 of the Constitution, **all persons in Italy are entitled to health-care services**. Irregular migrants can access this Service by the STP code. To this end, an Agreement, including "Guidelines for correct application of legislation on health-care to the foreign population by the Italian Regions and Autonomous Provinces" was signed in December 2012. The Ministry of Health is participating in various international relevant initiatives, such the IOM project "**EQUI-Health**", by which adequate training for health-care providers is key to overcome cultural barriers ("Miscellaneous").[133]

152. In drafting the **sectorial Plan on Roma health** ("Miscellaneous"),[134] from a normative standpoint, attention has been paid to the 1986 Ottawa Charter based upon three verbs: *to enable, to mediate, and to advocate*. Moreover, it considers the European Funds Planning, 2014-2020. To draft the above Plan, which envisages 14 projects also of an international relevance, institutional and non-institutional stakeholders, including Roma women, have been involved.[135] In 2013, INMP[136] established an inter-institutional network besides developing the web-based platform for dialogue with Local Health Centres (acronym in Italian, *ASL*).

153. As for **health-care protection needs of migrants**, especially maternal-child health care,[137] the National Health-Care System expressly guarantees adequate care pursuant to Art. 32 of the Constitution and Art.35 of Legislative Decree 286/98 (social protection for the pregnancy and maternity pursuant to Acts 405/75 and 194/78; and Ministry of Education's Decree dated 6 March 1995); plus, all health-care protection measures consider the United Nations Convention on the Rights of the Child. Health care-related services are also provided by relevant charity Associations, pursuant to Art. 43, para. 8, of Presidential Decree 394/99. Furthermore, Act 94/2009 envisages that the access to health-care services is not subordinated to the submission of whatsoever document proving the regular stay in the territory. Thus, with regard to Non-EU citizens, Act 40/1998 expressly enforces the principles enshrined under the above Art. 32 of the Constitution: they do have access to the health-care system. The additional effort is for the implementation of adequate health-care policies with the ability to detect relevant health-care needs. To this end, matters of concern are: the reduced knowledge of the Italian language, the little understanding and/or respect for the proceedings or the facilities — which, with regard to pregnant women, is translated into forms of suspect towards medical examination — on the assumption that the pregnancy in itself is a natural event without the need for whatsoever monitoring. On the other hand, both migrants and RSC people usually resort to emergency medical assistance — which does not

[133] CEDAW/C/ITA/CO/6 paras. 52-53.

[134] Ibidem.

[135] Agenas, Anci, State-Region Conference, FIMMG, FIMP, Federation Romani, Federation Rom e Sinti Insieme, Federation Unirsi, INMP, ISTAT, Ministry of the Interior, Ministry of Labor, IOM, and DEO-UNAR.

[136] INMP is also a focal point for integrated measures for disadvantaged people health care needs, both Italians and foreigners. This is based in Rome but works in international, national and local contexts, inter alia, by running relevant projects, especially for Roma and migrant women and girls.

[137] Ibidem.

facilitate any reconciliation with a normal medical timeline for medical services supply. Plus, medical treatments are often interrupted when symptoms disappear. On many occasions, the family group directly interferes in the medical decision leading to various forms of tension with the medical personnel — a situation determined by the lack of health-care education and the difficulty in accepting the importance of a culture of prevention.

154. As for **Roma**,[138] from available data, low life expectancy, coupled with higher levels of child mortality, significantly impacts on Roma people's health. Underweight Roma children are more numerous if compared to other children, and suffer from respiratory diseases. Sexually transmittable diseases, alcohol and drugs addictions as well as overall poverty-related diseases are increasing, too.

155. According to **ISTAT, 13.8** per cent **of foreigners**, aged 14 and over, declares to encounter difficulties in explaining in Italian their medical problems; and 14.9 per cent of them states they have difficulties in understanding the physician. The linguistic problem is more evident among women (15.6 per cent to express herself, and 16.3 per cent to understand) if compared to men (11.9 per cent and 13.4 per cent, respectively). The rate increases in proportion to the age and the extent of stay in Italy: between 2009-2012, they were 28.8 per cent, with women scoring 34.7 per cent. However, the possibility to reconcile medical visits and personal or family commitments is higher among foreign men compared to women: 9.5 per cent of men compared to 7.8 per cent of women.[139]

156. As for **active ageing of women**[140] and the elderly people in general, DEO has elaborated and implemented a European project co-funded with EC, "*Mens sana in corpore sano*", the aim of which is to design innovative policies for elderly women in the above relevant context.

Article 14

157. About 70 per cent of the Italian population live in rural areas.[141] **As at 2013, women in rural areas are 22 million, equalling to 69** per cent **of Italian women** (ISTAT and INEA data annexed). Plus, 19.5 per cent of rural population, of which 50 per cent are women, lives in the so-called Least Developed Areas. In terms of rural workforce (1.6 million), women amount to 41 per cent, of whom 18 per cent in the LDA. As at 2011, the female labour rate amounted to 36 per cent out of 45 per cent of the overall rural workforce.

158. Numerous are the local initiatives to enhance women's participation and access in the farming sector (through i.e. "Leader approach", integrated projects, and training). According to the VI Census on the Agricultural Sector, female farming enterprises amount to 500,000, of which 58 per cent are in Southern Italy; and the number of women in holder/leading/control positions has increased from 26 per cent to 31 per cent, between 1990-2010, especially in the South with Molise region topping at 39.4 per cent.[142]

[138] Ibidem.
[139] Ibidem.
[140] CEDAW/C/ITA/CO/6, paras. 52-53.
[141] CEDAW/C/ITA/CO/6, paras. 46, 47.
[142] "Feminization of the agricultural sector"

159. As for lands' acquisition/purchase, physical persons make 87 per cent of this trade; and women are 40 per cent. In addition to women farmers, mention has to be made of those indirectly contributing to farming (another 40 per cent) ("Miscellaneous").

160. As **for migrant women,**[143] **they represent 29** per cent **of the rural workforce** (INEA-CRA on INPS data-2013), namely 22 per cent of the total female rural workforce, most being geographically distributed in five Regions: Emilia Romagna (17 per cent); Apulia (12.4 per cent); Calabria (11 per cent), Sicily (8 per cent); and Veneto (9 per cent).

161. **Women's participation** in new forms of relevant local governance has to be acknowledged when considering the progress made in the last decade. As a way of example, it is worthy of mention the following: Integrated Local Projects (acronym, PIT); and local Development Plans (acronym, PSL), the latter being implemented by Local Action Groups (acronym, GAL), within the EU Initiative-Leader. In fact, thanks to their skills and abilities, 70 per cent of the workforce in this area is made of women who play a primary role, as project managers and trainers, besides facilitating new channels between Institutions, businesses and recipients (INEA data annexed).

162. Both ISTAT[144] and the Ministry of Agriculture monitor this situation. The latter in particular has been promoting several measures, such as: **the Atlantis of Women in Agriculture; a gender perspective in agriculture under the Rural Development Programmes, 2007-2013 (the above Leader); best practices to reconcile work and family care (a survey on kindergartens and the strengthening of relevant services to qualitatively improve life).**[145]

163. The ONILFA (*Osservatorio Nazionale per l'Imprenditoria Femminile in Agricoltura*) was also on service up to 2012 when activities have been entrusted to DISR11-Office at MIPAAF, by Act 135/2012. This Office organized the XIII Edition of the Prize *DeaTerra-2014*. Within the National Rural Network, MIPAAF set up a WG on gender equality.[146]

164. Finally, specific mention has to be made of relevant women's Associations (*Donne in Campo, Donne impresa, Confagricoltura Donna*) that promote women farming-support measures.

Part IV

Articles 15, 16

165. Men and women in Italy enjoy full equality of rights, including in respect of all of the issues considered in Article 15.

[143] CEDAW/C/ITA/CO/6, paras. 52-53.

[144] "*Capitale umano e stratificazione sociale nell'Italia agricola*", Chapter on "Women", ISTAT, 2013; Seminar, "*Donne e agricoltura: un connubio di qualità*", Rome, April 2014, in collaboration with Mipaaf.

[145] www.reterurale.it.

[146] According to the Milan Chamber of Commerce, by 2020 and following EXPO, some 2,600 female enterprises will be set up (http://www.mi.camcom.it/c/document_library/get_file?uuid=cc95b471-12b2-4121-abe3-4197fe7e7fda&groupId=10157).

166. As for Article 16, Legislative Decree 154/2013 equates legitimate children to those born out of wedlock (thus impacting also on more uxorio cohabitation), besides further extending the right to be heard. On 26 May 2015, **Act 55/2015 expediting the divorce proceeding (to be 12-month-long max., besides envisaging its reduction to 6 months in case of mutual consent) entered into force**:[147] it is estimated, it will immediately impact on 200,000 pending cases.

167. As mentioned in the previous report, Act 54/2006 envisages joint guardianship, to which to add Act 219/2012 extending the right of the minor to be heard.[148]

168. Additional relevant Bills are before the Parliament.[149] On 10 February 2015, the Government approved a Bill with the aim of establishing — other than the Juvenile Courts — ad hoc specialized judicial Sections for "the individual and the families (*Per la persona e la famiglia*)", to be thus managed by special judicial Authorities with the support of those experts working within the Juvenile Courts.

169. As for **PAS**,[150] the Supreme Court, in Joint Session, deposited a Decision, on 22 July 2015. As reported within the immediate CEDAW follow-up, dated 17 July 2011,[151] various judicial proceedings have dealt with this issue, the most recent of which by the Tribunal in Milan, dated 13 October 2014. By recalling the Supreme Court (Civil Section, 7041/13; Civil Section, 5847/2013), this Tribunal rejected the search for specific evidence aimed to ascertain the syndrome under reference, in light of the scientific literature — according to which such a disease is not supported by scientific evidence. The Tribunal in Milan also stresses that further investigations should be eventually carried out with regard to the parents rather than involving the child — who happens to be the victim of parental conflict.

170. **In conclusion**, Italian Authorities reiterate their full commitment to working with the CEDAW Committee — aware that much has been done but concerns remain in terms of existing challenges and implementation gaps.

[147] CEDAW/C/ITA/CO/6, para. 49.

[148] CEDAW/C/ITA/CO/6, para. 51.

[149] Bills refer to: compulsory family mediation (Ddl AS 957), to educate women and men to parenthood; AS 1763 on the more uxorio cohabitations register; AC 2661 on the special Tribunals for families; AC 2885 Amendment to the civil code on step-child adoption.

[150] CEDAW/C/ITA/CO/6, para. 51.

[151] Upon request by a lawyer, who was a member of the Committee, at that time.